

# Fox ML Infrastructure – Export Compliance Statement

This document provides export control compliance information for Fox ML Infrastructure software.  
This statement is essential for organizations with international operations or compliance requirements.

---

## 1. Export Control Classification

### 1.1 EAR99 Classification

Fox ML Infrastructure software is classified as **EAR99** under the **United States Export Administration Regulations (EAR)**.

- **EAR99** – Items not specifically controlled by the EAR
- **No license required** – No export license required for most destinations
- **General availability** – Generally available for export to most countries

**This classification applies to the core software platform. Client-specific customizations may have different classifications depending on their nature.**

### 1.2 Not a Controlled Technology

**Fox ML Infrastructure is not:**

- **Controlled technology** – Not subject to specific export control restrictions
  - **Encryption software** – Not primarily encryption software (though may use encryption libraries)
  - **Dual-use technology** – Not dual-use technology subject to specific controls
  - **Military technology** – Not military technology or defense articles
- 

## 2. Licensee Responsibilities

### 2.1 Compliance Obligations

**Licensee is responsible for:**

- **Local compliance** – Ensuring compliance with all applicable export control laws and regulations in Licensee’s jurisdiction
- **Destination restrictions** – Ensuring the Software is not exported to prohibited destinations
- **End-user restrictions** – Ensuring the Software is not provided to prohibited end-users
- **Re-export compliance** – Ensuring compliance with re-export restrictions
- **Documentation** – Maintaining documentation of export compliance (if required)

### 2.2 Prohibited Destinations

**Licensee must not export, re-export, or transfer the Software to:**

- **Embargoed countries** – Countries subject to comprehensive embargoes (e.g., Cuba, Iran, North Korea, Syria, Crimea region of Ukraine)
- **Sanctioned entities** – Entities subject to economic sanctions or embargoes
- **Prohibited end-users** – Individuals or entities on prohibited persons lists (e.g., OFAC SDN List, Entity List)

**Licensee is responsible for checking current sanctions and embargo lists before export or transfer.**

## 2.3 Prohibited Uses

Licensee must not use the Software for:

- **Prohibited purposes** – Purposes prohibited by export control laws or regulations
  - **Military end-use** – Military end-use in certain countries (if applicable)
  - **Nuclear end-use** – Nuclear end-use in certain countries (if applicable)
  - **Chemical/biological weapons** – Development, production, or use of chemical or biological weapons
- 

## 3. International Compliance

### 3.1 Multi-Jurisdictional Compliance

Licensee must comply with:

- **US export controls** – United States Export Administration Regulations (EAR)
- **EU export controls** – European Union export control regulations
- **UK export controls** – United Kingdom export control regulations
- **Local regulations** – Export control regulations in Licensee’s jurisdiction
- **UN sanctions** – United Nations sanctions and embargoes

### 3.2 Licensee’s Jurisdiction

Licensee is responsible for:

- **Local laws** – Understanding and complying with export control laws in Licensee’s jurisdiction
  - **Local authorities** – Obtaining necessary licenses or authorizations from local authorities (if required)
  - **Compliance programs** – Implementing compliance programs to ensure ongoing compliance
- 

## 4. Software Distribution

### 4.1 Distribution Channels

Fox ML Infrastructure is distributed via:

- **Private repositories** – Private GitHub repositories for commercial licensees
- **Public repository** – Public GitHub repository for open-source (AGPL-3.0) version
- **Direct delivery** – Direct delivery to commercial licensees

### 4.2 Access Controls

Access to commercial versions is controlled via:

- **GitHub permissions** – Repository-level access controls
  - **License agreements** – Commercial License Agreements with compliance obligations
  - **Terms of service** – Terms of Service with export control compliance requirements
- 

## 5. Customizations and Derivatives

### 5.1 Client Customizations

Client-specific customizations:

- **Client responsibility** – Client is responsible for export control compliance of customizations
- **Different classification** – Customizations may have different export control classifications

- **Client assessment** – Client must assess export control requirements for customizations

## 5.2 Derivative Works

**Derivative works based on Fox ML Infrastructure:**

- **Client responsibility** – Client is responsible for export control compliance of derivative works
  - **Classification assessment** – Client must assess export control classification of derivative works
  - **Compliance documentation** – Client must maintain compliance documentation (if required)
- 

## 6. Consulting Engagements

### 6.1 International Consulting

**For international consulting engagements:**

- **Compliance required** – Compliance with export control laws is required
  - **Client location** – Client location may affect export control requirements
  - **Technology transfer** – Technology transfer may be subject to export controls
  - **NDA and compliance** – Non-Disclosure Agreements include export control compliance obligations
- 

## 7. Compliance Assistance

### 7.1 Information Provided

**Fox ML Infrastructure provides:**

- **Classification information** – Export control classification (EAR99)
- **Compliance statement** – This export compliance statement
- **License terms** – Commercial License Agreement with export control compliance obligations
- **Documentation** – Technical documentation for compliance assessment

### 7.2 No Legal Advice

**Fox ML Infrastructure does not provide:**

- **Legal advice** – Legal advice on export control compliance
- **Compliance services** – Compliance services or compliance consulting
- **License applications** – Assistance with export license applications

**Licensee should consult with export control counsel for specific compliance questions.**

---

## 8. Updates and Changes

### 8.1 Classification Changes

**If export control classification changes:**

- **Notification** – Commercial licensees will be notified of material changes
- **Updated documentation** – Export compliance documentation will be updated
- **Compliance requirements** – Licensee must comply with updated requirements

## 8.2 Regulatory Changes

If export control regulations change:

- **Notification** – Commercial licensees will be notified of material regulatory changes
  - **Updated compliance** – Licensee must comply with updated regulations
  - **Documentation updates** – Export compliance documentation will be updated as needed
- 

## 9. Summary

**Key Export Compliance Points:**

1. **EAR99 classification** – Software is classified as EAR99 (generally available for export)
2. **Licensee responsibility** – Licensee is responsible for export control compliance
3. **Prohibited destinations** – No export to embargoed countries or sanctioned entities
4. **Multi-jurisdictional** – Compliance required with US, EU, UK, and local regulations
5. **Customizations** – Client is responsible for export control compliance of customizations
6. **No legal advice** – Fox ML Infrastructure does not provide legal advice on export control

**This statement provides essential export control information for international organizations.**

---

## Contact

For questions about export control compliance:

**Jennifer Lewis**

Fox ML Infrastructure LLC

Email: [jenn.lewis5789@gmail.com](mailto:jenn.lewis5789@gmail.com)

Subject: *Export Compliance Inquiry – Fox ML Infrastructure*

**Note:** For specific export control compliance questions, Licensee should consult with export control counsel.

---

## Related Documents

- **COMMERCIAL\_LICENSE.md** – Commercial license terms (Section 4: Restrictions)
  - **LEGAL/CLA.md** – Commercial License Agreement (Section 10: Export Control Compliance)
  - **LEGAL/ACCEPTABLE\_USE\_POLICY.md** – Acceptable Use Policy (Section 2.2: Sanctioned Entities)
  - **LEGAL/INDEMNIFICATION.md** – Indemnification obligations
- 

## References

- **US Export Administration Regulations (EAR)** – <https://www.bis.doc.gov/index.php/regulations>
- **OFAC Sanctions Lists** – <https://ofac.treasury.gov/sanctions-programs-and-country-information>
- **EU Export Control** – <https://ec.europa.eu/trade/import-and-export-rules/export-from-eu/dual-use-controls/>
- **UK Export Control** – <https://www.gov.uk/guidance/export-controls>