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.

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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

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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

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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

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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

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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)

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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

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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.

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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

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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:

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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