

ECCN: 5A002 - License Exception ENC (740.17)(a) - RESTRICTED (740.17)(b)(2)

Quick Reference Export Guide for FES2402, FES4802, FES9604, FES2402-DC, FES4802-DC, FES9604-DC, FES2402-PREM, FES4802-PREM, FES9604-PREM, FES2402-PREM-DC, FES4802-PREM-DC, FES9604-PREM-DC, FES2402-WLAN, FES4802-WLAN, FES9604-WLAN, FES2402-WLAN-DC, FES4802-WLAN-DC, FES9604-WLAN-DC, FES2402-POE-WLAN, FES4802-POE-WLAN, FES12GCF, FES12GCF-DC, FES12GCF-PREM, FES12GCF-PREM-DC

General Export Guidelines

5A002 with License Exception ENC "Restricted" - FastIron Edge Switch Family is now authorized for export under License Exception ENC "RESTRICTED" to any non-prohibited individual consumer, commercial, or non-government entity for any non-prohibited end-use, using the ENC (License Exception ENC) designator. (see Prohibited End-Users and Prohibited End-Uses sections below). Exports are subject to reporting requirements under 740.17(e), unless exempted by 740.17(e)(4).

Special notation - Exports, reexports, etc., must perform a verification procedure prior to download, as found in Part 734.2(b)(9)(iii) of the EAR, and outlined in the letter accompanying this guide.

Export to government end-users:

- Located in the European Union License-Free Zone Countries<sup>1</sup> are authorized for any non-prohibited end-use in those countries.
- Located outside of European Union License-Free Zone Countries are NOT authorized and require an export license.

Iraq - Exports to, and for use in Iraq, for non-prohibited end-users and end-uses may occur under NLR. License Exception GOV may be used to export to and for the official use by personnel and agencies of the United States Government. Agencies of the United States Government include all civilian and military departments, branches, missions, U.S. Government owned corporations, and other agencies of the United States Government.

Cuba, Iran, Libya, North Korea, Sudan, Syria (also referred to as the Terrorist Six "T-6" countries) - An export license is required for exports, reexports and/or transfers to any of these countries. The ENC designator will not override this licensing requirement. Additionally, furnishing source code or technology to any national of Cuba, Iran, Libya, North Korea, Sudan, or Syria located in or outside of the United States is prohibited, and requires an export license. (See also License Exception GOV below, for certain exports to Cuba).

Prohibited End-Users

Exports, reexports and/or transfers to, or for the benefit of any person or entity identified on any of the lists below is prohibited under ENC, and requires an export license issued by the United States Government prior to export

- A. Denied Persons List. See: <http://www.bis.doc.gov/dpl/thedeniallist.asp>.
- B. Entities List. See: <http://w3.access.gpo.gov/bis/ear/pdf/744spir.pdf>.
- C. Specially Designated Nationals and Blocked Persons List. See: <http://www.treas.gov/offices/eotffc/ofac/sdn/t11sdn.pdf>.
- D. All exports and/or transactions with or for the benefit of the al-Qaida, Taliban, and/or any other terrorist supporting individuals and/or entities, wherever located, are strictly prohibited.
- E. \* The Unverified List contains names of entities for which the United States Government has been denied access by the foreign government, to perform post-check verifications of exports. Export is not prohibited to entities on this list, however, Foundry Networks, Inc., has an affirmative duty to ascertain that the end-use and end-use of the exported product is not prohibited. The Unverified List can be found at: [http://www.bis.doc.gov/Enforcement/UnverifiedList/unverified\\_parties.html](http://www.bis.doc.gov/Enforcement/UnverifiedList/unverified_parties.html).

Prohibited End-Uses

Exports, reexports and/or transfers to, or for the benefit of any activity and/or purpose listed below is prohibited under ENC, and requires an export license issued by the United States Government prior to export. Those activities and/or purposes include:

Use in the design, development, production, stockpiling, or use of: chemical or biological weapons, missiles, nuclear activities, foreign maritime nuclear propulsion project, or for use or connection thereof. (Including, maritime nuclear propulsion plants, their land prototypes, and special facilities for their construction, support, or maintenance, including any machinery, devices, components, or equipment specifically developed or designed for use in such plants or facilities).

License Exception GOV

SPECIAL PROVISION FOR EXPORTS DELIVERED TO AND FOR OFFICIAL USE OF THE UNITED STATES GOVERNMENT UNDER LICENSE EXCEPTION GOV TO CUBA AND/OR IRAQ

Authorization to export under License Exception GOV is granted for exports consigned to (i.e., delivered to) AND for the official use by personnel and agencies of the United States Government. Agencies of the United States Government includes all civilian and military departments, branches, missions, U.S. Government-owned corporations, and other agencies of the United States Government. (NOTE: The term agencies of the United States Government does NOT include such national agencies as the American Red Cross nor international organizations in which the United States participates, such as the Organization of American States).

<sup>1</sup> Austria, Australia, Belgium, Cyprus, Czech Republic, Estonia, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom.