

## Procerus Export Facts

500 South Geneva Rd

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801-224-5713 (main)

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The following is a description of the process required for Procerus Technologies to export Kestrel autopilot and ground control station products. It is intended to answer the most common questions related to product export. If you have further questions, please email [info@procerus.com](mailto:info@procerus.com) or call 801-224-5713.

- The Kestrel autopilot and ground control products are export controlled by the office of Defense Trade Controls which is part of the US Department of State. These products follow rules based on the International Trade in Arms Regulations (ITAR). The Kestrel products are classified as Category VIII(h)(i) munitions equipment.
- Procerus submits export applications on a per-export, and per-purchase order, basis. Procerus requires a pre-application payment to cover the application processing costs (may be paid by wire transfer). This fee is due up front and is not refundable whether or not the export license application is successful or if the customer cancels the order. The export license application process can take as long as 90 days.
- The Dept. of State sends applications to the Dept. of Defense for their review. A detailed, precise end user statement is paramount when applying for an export license. There is no guarantee that the license will be approved by the US Government. Procerus will work with the review offices of the Dept. of State and Dept of Defense to facilitate the review but cannot determine ultimate outcome.
- Required in order to submit an export license application:
  - Certification by the end user that they will abide by US export law. (complete and sign the Non-Transfer and Use certificate [www.procerus.com/export/nontransfer\\_use.doc](http://www.procerus.com/export/nontransfer_use.doc))
  - On Company / Entity letterhead: (submitted as attachment to the above certificate)
    - List name and address of a) Foreign Consignee (purchaser), b) Foreign End User and where applicable, c) Foreign Government official. (if you're a government customer, please use form [www.procerus.com/export/nontransfer\\_use\\_A.doc](http://www.procerus.com/export/nontransfer_use_A.doc))
    - Provide a detailed description of the end use of equipment (be specific)
  - Signed Terms and Conditions Agreement and Non-disclosure. [www.procerus.com/documents/terms\\_and\\_conditions.pdf](http://www.procerus.com/documents/terms_and_conditions.pdf)
  - Non-refundable application processing fee as noted in bid. (pay by wire transfer)
  - Company or Entity Purchase Order

Faxed copies of the completed documents, with signatures, allow us to submit the export application, however, ITAR requires that Procerus keep signed originals of the Certificate, Company Letter, T/Cs, for our files. These may be faxed but it is preferable to receive them in fully executed, PDF format.

Non-disclosure Agreement: [www.procerus.com/documents/mutual\\_nda.pdf](http://www.procerus.com/documents/mutual_nda.pdf)

- A list of countries banned from receiving export of DoS controlled items is available at [www.pmdtc.org/country.htm](http://www.pmdtc.org/country.htm). Other countries are also reviewed closely on a case-by-case basis.
- Domestic customers are informed of applicable export regulations and are required to obtain written permission from the US Department of State, office of Defense Trade Controls prior to exporting items that include Kestrel products.
- Procerus Technologies is committed to ensuring that the company maintains compliance with all applicable government regulations related to export law. Our policies and procedures are intended to meet the requirements of International Trade in Arms Regulations (ITAR) as defined and implemented in 22CFR Parts 120-130. If you have any questions about export control issues, please see the Office of Defense Trade Controls office web site at [www.pmdtc.org](http://www.pmdtc.org).

## Definitions of Terms

### **Foreign Consignee** (*Buyer*)

The entity who acquires the product from Procerus Technologies. This could be a distributor, product representative or system integrator who buys the product and puts it into a system that is then sold to the end user. This could also be the end user who is buying the product directly from Procerus.

Company Name  
Person Responsible  
Street Address (cannot be a post office box)  
City, State (Province if applicable), Postal Code  
Country

### **Foreign End User (the entity by whom the product will be owned and used)**

Company Name  
Person Responsible  
Street Address (cannot be a post office box)  
City, State (Province if applicable), Postal Code  
Country

### **Foreign Intermediate Consignee** (*customer's customs broker - if applicable*)

Customs broker who will clear the system from Customs and deliver it to the customer

### **End Use of Equipment**

Describe in detail the end use of the product. Please provide the name of the program (if applicable). Identify key performance parameters that the product has that your application needs. Describe the function of the product in the application and the overall system function.

Example of end user statement:

*"The (product) is to be placed inside (company name)'s (product name). The (product) is a \_\_\_\_\_ that provides \_\_\_\_\_ and is designed for providing attitude control for \_\_\_\_\_. The (product) is to be packaged in the (product name) to be used on the (program name)."*

Signed,

Foreign End User

This document found online at [www.procerus.com/export/procerus\\_export\\_facts.pdf](http://www.procerus.com/export/procerus_export_facts.pdf)