

INTERNATIONAL TECHNOLOGY TRANSFERS & DEEMED EXPORT COMPLIANCE

How to Control IT Access and the Flow of Technical Data, and Minimize the Risk of Intangible Export Controls Violations in Defense Services, Cloud Computing and Outsourcing

January 28 – 29, 2013 • Sheraton Fisherman's Wharf Hotel • San Francisco, CA

SPECIAL FOCUS ON NEW GOVERNMENT ENFORCEMENT INITIATIVES:

How BIS and ICE are Increasing Investigations of Technology Transfers and Deemed Export Violations

Timothy Gildea – Special Agent, Immigration and Customs Enforcement, US Department of Homeland Security

Julie Salcido – Special Agent in Charge, San Jose Field Office, Office of Export Enforcement, Bureau of Industry and Security, US Department of Commerce

Hear about the FBI's Growing Role in Tech Transfer Enforcement

Robert Anderson, Jr.
Deputy Assistant Director,
Counterintelligence Unit
Federal Bureau of Investigation

Applying ITAR & EAR Definitions to your CONTROLLED TECHNICAL DATA Analysis

- Differentiating ITAR "technical data" vs. EAR "technology", and what they are NOT
- Application of ITAR 120.9 Defense Services definition
- How early in your R & D and export process to conduct your analysis, and when to revisit your findings

Hear how leading companies are upgrading their compliance programs and Technology Transfer Control Plans:

Raytheon	BAE Systems
Apple	Flowserve
Oracle	Qualcomm
Chevron	Xilinx
Meggitt-USA	Futurewei Technologies
Microsoft	Stanford University
Intel	Southwest Research Institute
Tyco Thermal Controls	Northrop Grumman Aerospace Systems
Google	

This unique and comprehensive event will delve into the most complex, new and emerging intangible export compliance risks affecting industry. Gain cutting-edge best practices for:

- **SCREENING FOREIGN NATIONALS:** How to prevent the biggest compliance pitfalls that can lead to discrimination, privacy and **wrongful dismissal claims**
- **DEFENSE SERVICES:** When software development, technical support and other assistance become **ITAR-controlled** and how to meet export controls restrictions
- **OUTSOURCING:** How to **minimize the risk of intangible export violations** in a services and R&D environment
- **CLOUD COMPUTING:** Reconciling **BIS, DDTC and OFAC definitions** of "cloud computing" to satisfy compliance expectations and foreign party access restrictions
- **INTERNAL COMPLIANCE ASSESSMENTS:** How to measure the effectiveness of your compliance program and remedy weaknesses before it's too late

Exclusive Post-Conference Working Group Sessions – January 30, 2013

- A** An In-Depth Guide to Crafting a Broad Job Description and Scope of Work Agreement Post On-Boarding: Working with HR, Engineering and Trade Compliance Personnel to Secure and Implement Deemed Export Licenses
- B** INTERACTIVE CASE STUDIES: Resolving the Most Complex, Sensitive Technology Transfer and Deemed Export Compliance Challenges Affecting Your Work

Association and Media Partners:



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One Technology Transfer or Deemed Export Compliance Misstep Could Cost Your Organization Millions in Penalties and Lost Business!

DDTC, BIS, the Department of Justice and other agencies are increasing their enforcement of unauthorized technology transfers and deemed export violations. It is critical to ensure that your organization is meeting rigorous restrictions impacting the export and re-export of technology, software, technical assistance, and services of US and foreign origin. Collaborative platforms such as social media and cloud computing have created new, emerging and complex risk areas and, as a result, increased exposure for your organization.

At American Conference Institute's 7th National Export Controls Forum on **International Technology Transfers & Deemed Export Compliance**, you will have the unique opportunity to benchmark with senior level trade, security and legal executives from the high tech, defense, oil & gas, and aerospace industries. **Learn what is keeping them up at night and what they are doing about it.**

Unlike other events, the entire conference is focused on how to address the unique risks stemming from online platforms, employee travel with laptops and portable devices, technical collaboration, R & D, social media, cloud computing, email usage and foreign client facility visits. As exporters continue to incorporate new and emerging platforms into all aspects of their business, the potential for an export violation and enforcement action has never been so high.

Meet and learn from a faculty of experienced government, in-house and private practice experts, who are at the cutting-edge in overcoming ITAR and EAR compliance challenges affecting technology transfers and foreign national access.

Winnie Luk, Senior Trade Compliance Manager, Oracle Corporation

Steven Kott, Senior Director, Trade Compliance, FutureWei Technologies

Joseph Kim, Director, Global Trade Compliance, Xilinx

Ramakrishna Dasari, Product & Technology Classification Manager, Apple Inc.

Arvind Sharma, Senior International Trade Counsel, Flowserve Corporation

James Snodgrass, Director, Security, BAE Systems

Laurie Magree, International Trade Compliance Manager, Northrop Grumman Corporation — Aerospace Systems

Sangita Patel, Senior Compliance Counsel, Chevron Upstream & Gas

William Wade, Senior Director, Export/Import Operations, Raytheon Company

Janet S. Pierce, Head of Trade Compliance, North America, Meggitt-USA, Inc.

Anne Marie Griffin, Deputy Director, Global Trade Policy, Microsoft Corporation

Rebecca Conover, ITAR Compliance Manager, Intel Corporation

Spencer Leslie, Director, International Trade Compliance, Tyco Thermal Controls

Michael A. Lutz, Trade Compliance Manager, Google Inc.

Karla L. Haynes, Export/Import Compliance Attorney, Chevron Corporation

Steve Eisner, University Export Control Officer, Stanford University

Debbie Shaffer, Manager, Export International Affairs, Southwest Research Institute

Tyler Ward, Export Control Specialist, Qualcomm

CASE STUDY: Implementing a Technology Transfer Control Plan

Gain first-hand insights on how companies are implementing IT security measures to prevent unauthorized access to servers, and managing foreign national access on-site

2012 U.S. Government Enforcement Speakers

- *Timothy Gildea* — Special Agent, Immigration and Customs Enforcement, **US Department of Homeland Security**
- *Julie Salcido* — Special Agent in Charge, San Jose Field Office, **Office of Export Enforcement**, Bureau of Industry and Security
- *Robert Anderson, Jr.* — Deputy Assistant Director, Counterintelligence Unit, **Federal Bureau of Investigation**
- *Joseph Whitehead* — Assistant Special Agent in Charge, San Jose Field Office, **Office of Export Enforcement (BIS)**

Maximize your benchmarking at exclusive, industry-led Working Groups: January 30, 2013

- A** An In-Depth, Practical Guide to Crafting a Broad Job Description and Scope of Work Agreement Post On-Boarding: Working with HR, Engineering and Trade Compliance Personnel to Secure and Implement Deemed Export Licenses
- B** INTERACTIVE CASE STUDIES: Resolving the Most Complex, Sensitive Technology Transfer and Deemed Export Compliance Challenges Affecting Your Work

WHO ATTENDS THIS EVENT

Vice Presidents, Directors, Managers and Analysts of:

- Export Compliance
- Global Trade & Regulatory Compliance
- Technology Transfer
- Outsourcing Services
- Export Controls
- Government Contracts
- Export Administration
- Export Policy

Corporate Counsel

- International Trade Counsel
- Compliance Counsel
- Policy and Regulatory
- Import/Export Counsel

Outside Counsel

- Export Compliance
- International Trade
- National Security
- Regulatory Compliance

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You are required to bring your state bar number to complete the appropriate state forms during the conference. CLE credits are processed in 4-8 weeks after a conference is held.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

Questions about CLE credits for your state? Visit our online CLE Help Center at www.americanconference.com/CLE

8:00 Registration Opens & Continental Breakfast

8:30 Conference Co-Chairs' Opening Remarks

Winnie Luk

Senior Trade Compliance Manager
Oracle Corporation (Redwood Shores, CA)

Josephine Aiello Lebeau

Partner
Wilson Sonsini Goodrich & Rosati LLP (Washington, DC)

8:45 **KEYNOTE PANEL — BIS and ICE Speak on Intangible Export Enforcement Priorities: How the Agencies are Ramping up Investigations and Collecting Evidence of Technology Transfer and Deemed Export Violations**

Timothy Gildea

Special Agent, Immigration and Customs Enforcement (ICE)
U.S. Department of Homeland Security (Washington, DC)

Julie Salcido

Special Agent in Charge, San Jose Field Office
Office of Export Enforcement, Bureau of Industry and Security
U.S. Department of Commerce (San Jose, CA)

9:45 **The Biggest Compliance Pitfalls to Avoid when Screening and Employing Foreign, Dual and Third Country Nationals: How to Minimize the Risk of Discrimination, Privacy and Wrongful Dismissal Claims**

Steven Kott

Senior Director, Trade Compliance
FutureWei Technologies (Santa Clara, CA)

Laurie Magree

International Trade Compliance Manager
Northrop Grumman Corporation — Aerospace Systems
(Redondo Beach, CA)

Ivan P. Koves

Of Counsel
Holland & Hart LLP (Denver, CO)

- The extent of due diligence to conduct when hiring a foreign national to prevent compliance pitfalls
- Reconciling BIS and DDTC nationality determination requirements
- Complying with ITAR 126.18 when employing dual and third-country nationals employed by end-users
- Coping with “mere access” issues and deemed exports: EAR v. ITAR approaches distinguished
- Managing employee on-boarding and Form I-129 certifications
- Managing heightened risks posed by employee termination
- Phrasing the citizenship and nationality questions properly to prevent anti-discrimination and privacy law violations
- Setting up internal procedures for “on-boarding”
- When an OFAC license might be required when hiring foreign nationals

11:00 Networking Break

11:15 **The Finer Points of Identifying “Controlled Technical Data”: Applying Varying ITAR and EAR Definitions to Your Analysis**

Joseph Kim

Director, Global Trade Compliance
Xilinx (San Jose, CA)

Ramakrishna Dasari

Product & Technology Classification Manager
Apple Inc. (Cupertino, CA)

Daniel Fisher-Owens

Partner
Berliner, Corcoran & Rowe LLP (San Francisco, CA)

- Avoiding common misunderstandings of critical terms, including:
 - US person
 - Foreign person/foreign nationals
 - Defense Service as defined under ITAR 120.9
 - Deemed export/release of technical data
- What is ITAR “technical data” vs. EAR “technology”, and what they are NOT
- What is included under “technical data” including: Design, development, production, repair, testing, maintenance, or modification of defense articles
- How early in your R & D and export process to conduct your analysis, and when to revisit your findings
- Key ITAR exemptions and EAR license exceptions for technology transfers
- How NRC and G20 agreements affect your technical data transfers

12:15 Networking Luncheon

1:30 **Conducting Intangible Export Risk Assessments: How to Measure the Effectiveness of Your Compliance Program and Remedy Weaknesses Before It's Too Late**

Joseph Whitehead

Assistant Special Agent in Charge, San Jose Field Office
Office of Export Enforcement, Bureau of Industry and Security
U.S. Department of Commerce (San Jose, CA)

Arvind Sharma

Senior International Trade Counsel
Flowserve Corporation (Irving, TX)

David W. Addis

Of Counsel
Covington & Burling LLP (Washington, DC)

- Ensuring proper identification and classification of your data, software and services: Technical data, technology, software, classified information, ITAR-controlled tech data, EAR-controlled tech or other confidential information
- Conducting global risk assessments of your data: Determining where your data resides, and which data to store on your system vs. on an external site
- Assessing your specific business and tailoring your compliance program to the sensitivities of the technology
- If, when, and how often to conduct self-audits of your systems to detect weaknesses early
- Best practices for identifying the sources of controlled information

- How to adapt your program to evolving risks and when problems occur
- Assessing how information is transmitted internally and externally
- Knowing when and how much to support foreign affiliates with licensing and compliance needs

2:30

INTERACTIVE CASE STUDY: Lessons Learned on How to Implement a TECHNOLOGY TRANSFER CONTROL PLAN

James Snodgrass
Director, Security
BAE Systems (Washington, DC)

Sangita Patel
Senior Compliance Counsel
Chevron Upstream & Gas (San Ramon, CA)

Jonathan Epstein
Partner
Holland & Knight LLP (Washington, DC)

Join this interactive session on implementing an effective TTCP where session leaders will disclose specific examples of what works, what doesn't, and lessons learned. There are crucial elements to an effective control plan, including management involvement and support, your company's risk profile and business operations, and strong documentation.

Topics include:

- Controlling the virtual world: Establishing controls within your information technology (IT) networks
- Implementing physical security controls as part of your overall mitigation initiatives
- Delivering training to support managers, work teams, business areas and company employees to promote awareness of authorizations and restrictions
- Pitfalls to avoid during short-term visits, plant tours, short-term assignments and with permanent employees embedded within the workplace
- Assessing your site's processes to ensure you're achieving desired results
- When controls break down: Complying with reporting requirements to US Department of State and US Department of Defense (for cleared defense contractors supporting the NISP)
- Assessing and monitoring procedures to track and control information access to your systems
- TTCP upgrades to incorporate when foreign nationals are embedded on-site at a facility

3:30 **Networking Refreshment Break**

3:45 **FOCUS ON DEFENSES SERVICES — When Software Development, Technical Support and Other Assistance become ITAR-Controlled "Defense Services": When and How to Secure a TAA to Prevent Penalties and Uninterrupted Business**

William Wade
Senior Director, Export/Import Operations
Raytheon Company (Rosslyn, VA)

Janet S. Pierce
Head of Trade Compliance, North America
Meggitt-USA, Inc. (Loveland, CO)

Rebecca Conover
ITAR Compliance Manager
Intel Corporation (Santa Clara, CA)

Kay C. Georgi
Partner
Arent Fox LLP (Washington, DC)

- What becomes an ITAR-controlled defense service
- Proposed rule regarding defense services, and what a revised definition and potential exclusions would mean for doing business
- When to use a DSP-5 v. a TAA
- How DDTC's retroactive ITAR determinations affect your exports: When and how to ask for a license for the products already sent to another country
- Understanding when defense services can be exported and implementing strict compliance measures to prevent violations
- Defining classified information related to defense articles and defense services
- Addressing collaborative R&D and fundamental research in your TAA

5:00

Reducing Export Enforcement Risks Posed by Employee Travel Abroad: Strengthening Internal Compliance Policies on Internet Usage, Emails, Servers, Laptops and Portable Devices Before It's Too Late

Spencer Leslie
Director, International Trade Compliance
Tyco Thermal Controls (San Francisco, CA)

Nelson Dong
Partner
Dorsey & Whitney (Seattle, WA)

- What is the proper procedure for carrying technical data out of the U.S.
- Determining what kind of license is required for a foreign national
- Knowing when CBP will inspect and seize an employee laptop or other device, and potential enforcement risks
- Working with HR and other affected departments to assess risks of unauthorized access
- Dealing with foreign import and re-export controls on encrypted items transported by employees
- Protecting technical data on laptops for employee travel
- How email traffic travels on Blackberries, iPhones, iPads, Playbooks and other portable devices when abroad

5:45 **Conference Adjourns to Day 2**

Testimonials from Past Attendees

"Conferences are always providing updates and knowledgeable speakers." — Teledyne Technologies

"Excellent forum to network with other industry colleagues." — Tech America

"This is a fantastic conference. I love the level of detail and the collaborative set up." — Aeroflex

8:30 **Conference Co-Chairs' Remarks**

8:35 **KEYNOTE ADDRESS: The FBI's Growing Role and Approach to Technology Transfer and Deemed Export Investigations**

Robert Anderson, Jr
Deputy Assistant Director, Counterintelligence Division
Federal Bureau of Investigation (Washington, DC)

9:15 **Offshore Outsourcing of Tech Support and Software Development: How to Protect Intangibles in a Services and R & D Environment**

Winnie Luk
Senior Trade Compliance Manager
Oracle Corporation (Redwood Shores, CA)

Jason Silverman
Partner
McKenna Long & Aldridge LLP (Washington, DC)

- Outsourcing of technical support
 - Where can tech transfers take place
 - Managing data on outsourced managed computer systems
 - The perils of proxy into computers with export-controlled data
 - Restrictions built into tech support agreements and contractual safeguards
 - Conducting audits of your systems
- What types of specifications can be shared when outsourcing of software development
- How to monitor engineer to engineer conversations
- Conducting training
- Educating your procurement and engineering departments on export violations

10:15 **Networking Break**

10:45 **FOCUS ON CLOUD COMPUTING — Minimizing the Risk of Export Violations in the Cloud amid Varying BIS, DDTC, and OFAC Requirements: How to Track Data Location, Foreign Party Access, and Compliance by Service Providers and Users**

Michael A. Lutz
Trade Compliance Manager
Google Inc. (Mountain View, CA)

Josephine Aiello Lebeau
Partner
Wilson Sonsini Goodrich & Rosati LLP (Washington, DC)

- Reconciling BIS, DDTC and OFAC definitions of “cloud computing” (private cloud v. public cloud)
- Practical impact of BIS advisory opinions on cloud network usage
- Creating a methodology for determining the nature of the service and compliance obligations based on the service
- Implementing a CRM system to ensure the absence of ITAR-controlled data in the cloud

- Understanding how the ITAR impacts where data is located: Weighing cost v. benefits when setting up your cloud server
- Complying with DDTC requirements for access to technical data in cloud
- Applying exemptions under OFAC regulations for personal communications
- Monitoring 3rd party access and the potential risk of 3rd party exports to embargoed countries

11:45 **Monitoring Technology Transfer and Deemed Export Compliance by Foreign Affiliates, Subsidiaries, Parents and Joint Venture Partners**

Sangita Patel
Senior Compliance Counsel
Chevron Upstream & Gas (San Ramon, CA)

Anne Marie Griffin
Deputy Director, Global Trade Policy
Microsoft Corporation (Redmond, WA)

Joseph D. Gustavus
Senior Principal
Miller Canfield P.L.C. (Troy, MI)

- The nature and extent of training required to limit liability if a problem arises
- Monitoring engineers and technical personnel abroad
- Assessing global technology control policies and procedures for personnel abroad
- When you need a form letter to joint-venture participants
- Quantifying the potential exposure of non-compliance: Key factors impacting your assessment
- Controlling electronic communications: Understanding where controlled data is stored and who has access
- Benefits of contractual safeguards and how they help to limit liability
- How to assess warning signs and watch out for red flags
- Understanding what technologies are being deployed at a country destination
- Recordkeeping: What documents/information to collect, and how to review them
- When the risks outweigh the benefits: When to terminate a joint venture relationship

12:45 **Networking Luncheon**

2:00 **Form I-129, Petition for a Nonimmigrant Worker: Update on How USCIS Processes Applications and Red Flags to Avoid**

Doreen M. Edelman
Shareholder
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
(Washington, DC)

Martin J. Lawler
Attorney
Lawler & Lawler (San Francisco, CA)

- Preventing pitfalls when completing the I-129 export control compliance certification
- Understanding export control certification requirements
- How to develop and train HR managers on export controls through a web-based training module
- Understand third-party liability and certification issues
- Implementing technology and travel guidelines to prevent export control violations

2:30 **Defining the Boundary between Fundamental and Restricted Research: Knowing When Export Controls are Triggered and How to Collaborate with R&D Partners**

Karla L. Haynes
Export/Import Compliance Attorney
Chevron Corporation (San Ramon, CA)

Steve Eisner
University Export Control Officer
Stanford University (Stanford, CA)

Debbie Shaffer
Manager, Export International Affairs
Southwest Research Institute (San Antonio, TX)

Roszel Thomsen
Partner
Thomsen & Burke LLP (Baltimore, MD)

- Understanding definitions of fundamental and applied research: When research becomes ITAR or EAR-controlled
- When you need an ITAR license under collaboration agreements with universities
- Knowing what exceptions apply under the EAR and ITAR with respect to R&D activities not qualifying as “fundamental research”
- Defining what kind of work will be performed within a given project before a collaboration agreement is in place
- Negotiating key terms and conditions in your collaborative and joint venture agreements
- Working with researchers from different nations and controlling the flow of data

3:45 **Networking Refreshment Break**

4:00 **ENCRYPTION CONTROLS: Updating Your Compliance Strategy in Response to Note 4 Decontrol and Other EAR Changes**

John F. McKenzie
Partner
Baker & McKenzie LLP (San Francisco, CA)

- How recent changes are affecting your technical data exports including:
 - Note 4 Decontrol
 - Increased self-classification
 - Publicly available items
- US initiatives for Wassenaar Arrangement changes
- OFAC personal communication licensing issues related to software downloads and services from instant messaging, chat, email, social networking, photo/video sharing, web browsing and blogging
- Current import and export challenges in China posed by encryption-related technology

4:30 **What to Do When You Suspect or Discover a Technology Transfer or Deemed Export Violation: How to Work with IT and HR to Investigate and Remedy Wrongdoing**

George N. Grammas
Partner
Squire Sanders (US) LLP (Washington, DC)

- Investigating when an employee or third party disclosed technical data, the type and amount of data disclosed, and action steps to mitigate violations
- Determining what, if any, potential violations exist and ensuring funds are set aside to cover possible fines and penalties
- Implementing corrective action and remedial measures at your U.S. locations and at foreign affiliates or subsidiaries
- When and how to file a voluntary disclosure, the scope of required detail under DDTC and BIS:
 - Background on the company
 - What mitigating factors were present
 - What led to the violation
 - Information on steps the company has taken, or is in the process of taking, to prevent similar violations from occurring
- Avoiding material omissions in reports
- What to expect from DDTC post-disclosure – preparing for a request for an outside audit
- How to reduce the risk that your disclosure will trigger an agency demand or request an outside audit

5:00 **End of Conference**



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Wendy Tyler
Head of Sales, American Conference Institute

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w.tyler@AmericanConference.com

An In-Depth Guide to Crafting a Broad Job Description and Scope of Work Agreement Post On-Boarding: Working with HR, Engineering and Trade Compliance Personnel to Secure and Implement Deemed Export Licenses

Karla Haynes
Export/Import Compliance Attorney
Chevron Corporation (San Ramon, CA)

Tyler Ward
Export Compliance Specialist
Qualcomm (San Diego, CA)

Suzanne D. Reifman
Partner
Vinson & Elkins LLP (Washington, DC)

Your foreign national employee or intern has gone through the on-boarding process, accepted the offer of employment and their Form I-129 form has been submitted – now the challenge begins. You must manage the many deemed export compliance challenges that come up in the course of employment or when hiring a third party to do work. You must ask yourself questions such as: If and when you need a license? What are the reporting requirements? What ITAR, EAR, and OFAC regulations do you need to be aware of? What happens when non-U.S. foreign nationals are brought to the U.S.?

Join this highly interactive working group where the expert speakers will discuss how they have resolved highly difficult compliance challenges when employing foreign national employees, interns and third parties. While it may not be a big challenge to know what their initial job will be, the daunting task ensues during the course of employment as responsibilities and the scope of work change. This working group will provide practical strategies for tracking compliance with licenses from day one.

Key topics include:

- Who is an employee: Identifying risks associated with permanent vs. temporary employees, interns, independent contractors, and seconded employees

- Can you comply? Developing workable IT and physical access controls
- Trust but verify: Auditing to ensure compliance
- Understanding whether the job description/scope of work involves a US sanctioned/embargoed country and cross-checking with entity lists
- Assessing if there is evidence that export-controlled information or technology will be part of the research
- Ensuring ITAR and EAR compliance in the context of employee turnover, transfers and succession planning
- Assigning new projects and roles: Minimizing the risk of export violations when promoting employees, and delegating responsibilities
- Is there a possibility that the work will become controlled
- What language to include in your scope of work agreement to allow for evolving responsibilities
- When to re-evaluate your foreign nationals scope of employment
- Understanding what licenses need to be filed throughout the course of employment as your foreign nationals responsibilities change

INTERACTIVE CASE STUDIES: Resolving the Most Complex, Sensitive Technology Transfer and Deemed Export Compliance Challenges Affecting Your Operations

William Wade
Senior Director
Export/Import Operations
Raytheon Company (Rosslyn, VA)

Janet S. Pierce
Head of Trade Compliance
North America
Meggitt-USA, Inc. (Loveland, CO)

Steven K. Brotherton
Partner
Fragomen, Del Rey, Bernsen
and Loewy, LLP (San Francisco, CA)

In this closed-door working group for private sector professionals only, industry experts will delve into a variety of highly complex technology transfer scenarios that can cost your company significantly if improperly handled. Learn specific techniques on how to manage highly time sensitive, pressing challenges, and hear how leading companies have successfully resolved critical issues.

This is a 'case study' approach to dealing with real-life challenges that affect your day-to-day operations. Benefit from in-house export compliance and legal professionals who will walk you through situations that have affected, or will likely affect, your technical data exports.

Submit your questions by December 28 to techtransfers@AmericanConference.com.

- a. The Biggest Missteps to Avoid When Classifying/Re-Classifying Foreign Data as ITAR or EAR-controlled**
- a) When a non-U.S. individual brings data into the U.S., and there is a potential non-compliance issue
 - b) Best practices for preventing foreign data from becoming subject to U.S. law

- c) When and when NOT to submit a commodity jurisdiction for your product
 - d) What to do if ITAR migration occurs
 - e) The biggest export jurisdiction errors and omissions to avoid at the R & D and stage
- b. The Top Post-License Implementation Mistakes, and What to Do If They Occur**
- a) Developing control plans that explain export license terms and conditions
 - b) Establishing procedures to ensure ongoing compliance
 - c) Special control plans for deemed export licenses
 - d) Records that are often not created or retained, but should be
- c. What to Do if You Have Potentially Run Afoul of Foreign Technology, Re-Transfer and Export Laws**
- a) Understanding how different laws of each country affect your tech re-transfers
 - b) How should employees store technology while traveling
 - c) Ensuring the transfer is authorized under existing licenses or agreements

American Conference Institute's 7th National Export Controls Forum on

INTERNATIONAL TECHNOLOGY TRANSFERS & DEEMED EXPORT COMPLIANCE

How to Control IT Access and the Flow of Technical Data, and Minimize the Risk of Intangible Export Controls Violations in Defense Services, Cloud Computing and Outsourcing

January 28 – 29, 2013 • Sheraton Fisherman's Wharf Hotel • San Francisco, CA

Government Speakers

Bureau of Industry and Security	Immigration and Customs Enforcement	Department of Justice
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In-House Insights

Raytheon	Tyco	Southwest Research Institute
Apple	Google	
Oracle	BAE Systems	Stanford University
Chevron	Flowserve	
Meggitt-USA	Qualcomm	Northrop Grumman
Microsoft	Xilinx	Aerospace Systems
Intel	Futurewei Technologies	

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Registration Fee

The fee includes the conference, all program materials, continental breakfasts, lunches and refreshments.

Payment Policy

Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

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You must notify us by email at least 48 hrs in advance if you wish to send a substitute participant. Delegates may not "share" a pass between multiple attendees without prior authorization. If you are unable to find a substitute, please notify **American Conference Institute (ACI)** in writing up to 10 days prior to the conference date and a credit voucher valid for 1 year will be issued to you for the full amount paid, redeemable against any other **ACI** conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. **ACI** reserves the right to cancel any conference it deems necessary and will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by **ACI** for changes in program date, content, speakers, or venue.

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