



UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

CASE NUMBER: Z779057

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APRIL 13, 2010
CCATS #: G077515

THE FOLLOWING INFORMATION IS IN RESPONSE TO YOUR INQUIRY OF DECEMBER 10, 2009
REQUESTING LICENSE INFORMATION FOR:

COMMODITY	ECCN	LVS	REASON FOR CONTROL	LVS DOLLAR LIMIT

ITEM #1:				
1) BACKUP IS DATA ARCHIVING SOFTWARE				
THAT PERFORMS DATA BACKUP, RESTORE,				
& DISASTER RECOVERY FOR NETWORK				
STORAGE & OPEN SYSTEMS ENVIRONMENTS.				
BACKUP CALLS THE ENCRYPTION PLUGIN'S				
ALGORITHM LIBRARY TO ENCRYPT/DECRYPT				
DATA FOR STORAGE PURPOSES.				
	5D992C		AT1	\$0
NETVAULT: BACKUP ("BACKUP")				

ITEM #2:

2) BACKUP CALLS THE ENCRYPTION PLUGIN'S				
ALGORITHM LIBRARY TO ENCRYPT/DECRYPT				
DATA FOR STORAGE PURPOSES. THE				
ENCRYPTION PLUGIN IS CURRENTLY				
DELIVERED IN 3 DISTINCT FORMS, ONE				
OF EACH FOR CAST (128), CAST (256),				
AND AES (256) FOR SUCH CRYPTO.				
	5D992C		AT1	\$0
ENCRYPTION PLUGIN				

COMMENTS FROM LICENSING OFFICER(S):



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ITEM #1: THIS ENCRYPTION ITEM IS AUTHORIZED FOR EXPORT AND REEXPORT UNDER SECTION 742.15(B) OF THE EXPORT ADMINISTRATION REGULATIONS (REVIEW REQUIREMENT FOR MASS MARKET ENCRYPTION COMMODITIES AND SOFTWARE EXCEEDING 64 BITS).

ITEM #2: THIS ENCRYPTION ITEM IS AUTHORIZED FOR EXPORT AND REEXPORT UNDER SECTION 742.15(B) OF THE EXPORT ADMINISTRATION REGULATIONS (REVIEW REQUIREMENT FOR MASS MARKET ENCRYPTION COMMODITIES AND SOFTWARE EXCEEDING 64 BITS).

ITEMS OTHERWISE ELIGIBLE FOR EXPORT OR REEXPORT UNDER A LICENSE EXCEPTION OR NLR (NO LICENSE REQUIRED) AND USED IN THE DESIGN, DEVELOPMENT, PRODUCTION OR USE OF NUCLEAR, CHEMICAL OR BIOLOGICAL WEAPONS OR MISSILES REQUIRE A LICENSE FOR EXPORT OR REEXPORT AS PROVIDED IN PART 744 OF THE EXPORT ADMINISTRATION REGULATIONS (EAR)

DESTINATIONS REQUIRING A LICENSE

SEE THE COMMERCE COUNTRY CHART (SUPPLEMENT NO. 1 TO PART 738 OF THE EAR) TO DETERMINE WHICH COUNTRIES REQUIRE A LICENSE. USE THE COUNTRY CHART COLUMN INFORMATION GIVEN ON THIS FORM IN CONJUNCTION WITH THE COUNTRY CHART TO DETERMINE THE LICENSING REQUIREMENTS FOR YOUR PARTICULAR ITEMS. FOR ITEMS CLASSIFIED EAR99, SEE PART 746 OF THE EAR TO DETERMINE THE LICENSING REQUIREMENTS.

APPLICATIONS FOR EXPORT MUST BE SUBMITTED ON FORM BIS-748P MULTIPURPOSE APPLICATION. THESE FORMS MAY BE OBTAINED BY CALLING (202) 482-3332 OR REQUESTING DIRECTLY ON THE BIS INTERNET WEB SITE. ASSISTANCE IN FILLING OUT THE FORM, OR ANY ASPECT OF EXPORTING, IS PROVIDED BY THE EXPORT COUNSELING DIVISION IN WASHINGTON, D.C. AT (202) 482-4811 OR THE WESTERN REGIONAL OFFICE IN NEWPORT BEACH, CALIFORNIA AT (714) 660-0144.

LICENSE EXCEPTIONS

BE AWARE THAT THE LICENSING REQUIREMENTS FOR SOME DESTINATIONS MAY BE OVERCOME BY ANY LICENSE EXCEPTION FOR WHICH YOUR ITEMS QUALIFY. SEE PART 740 OF EAR FOR INFORMATION ON LICENSE EXCEPTIONS. THE LICENSE AVAILABLE COLUMN ON THIS FORM LISTS ONLY THOSE LICENSE EXCEPTIONS OF THE SET GBS, CIV, APP, TSR WHICH ARE APPLICABLE TO YOUR ITEMS. OTHER LICENSE EXCEPTIONS MAY APPLY, DEPENDING UPON THE CIRCUMSTANCES OF YOUR INTENDED TRANSACTION.



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EXPORT CONTROL CLASSIFICATION NUMBERING SYSTEM (ECCN)

THE ECCN NUMBERING SYSTEM IS FOUND IN THE COMMERCE CONTROL LIST (CCL) PART 774 OF THE EAR. THE CCL IS A COMPREHENSIVE LIST THAT IDENTIFIES ALL ITEMS CONTROLLED AND LICENSED BY COMMERCE. WITHIN THE CCL, ENTRIES ARE IDENTIFIED BY AN ECCN. EACH ENTRY SPECIFIES THE LICENSE REQUIREMENTS FOR THE ITEM AND THE REASON(S) FOR CONTROL. PLEASE CONSULT PARTS 738 AND 774 OF THE EAR FOR SPECIFIC INFORMATION ON ECCNS.

SHIPPERS EXPORT DECLARATION (SED)

WHEN AN EXPORT IS MADE, IT IS NECESSARY FOR THE EXPORTER TO SHOW ON THE SHIPPERS EXPORT DECLARATION (FORM 7525-V) IN BLOCK 27 EITHER THE LICENSE NUMBER, THE APPLICABLE LICENSE EXCEPTION SYMBOL OR THE SYMBOL NLR. FORM 7525-V IS AVAILABLE FROM THE SUPERINTENDENT OF DOCUMENTS, U.S. GOVERNMENT PRINTING OFFICE OF WASHINGTON, D.C. 20402, AND FROM EXPORT ADMINISTRATION DISTRICT OFFICES (U.S. DEPT. OF COMMERCE).

CATHERINE PRATT
DIVISION DIRECTOR

FOR INFORMATION CONCERNING
THIS CLASSIFICATION CONTACT
JUDITH CURRIE
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BIS/STC/IT