



PRESENTED BY

EXPORT COMPLIANCE[®]
TRAINING INSTITUTE
LearnExportCompliance.com

SEMINAR SERIES IN **Montréal**

MAY 20-22, 2009 • AT LE CENTRE SHERATON MONTRÉAL



US Export Controls on Non-US Transactions™ A PRACTICAL GUIDE

Understand how United States export control rules impact Canadian businesses

United States trade control laws and regulations impact companies who use or resell US-origin products, components or technology. The US Government can impose serious penalties for US and non-US companies who fail to comply with the extra-territorial US rules (including monetary fines, a loss of US Government contracts, or a complete ban from receiving any US items).

These seminars offer practical explanations and advice on what the rules are and how they impact companies outside the United States. They also cover Canadian export controls, economic sanctions and military product and technology controls, with a practical focus on addressing the challenges Canadian companies face when subject to differing and sometimes conflicting Canadian and U.S. requirements. **Expect to leave these seminars with an in-depth understanding of what you need to do to keep your company compliant.**

Covers the NEW De Minimis calculation rules

YOU WILL LEARN:

- ▶ How US export rules impact a wide range of transactions outside the US
- ▶ How the US enforces these export regulations on non-US companies
- ▶ Practical methods of complying with US and Canadian export regulations

WHO SHOULD ATTEND:

Canadian companies who deal with US-based companies or that purchase US-origin products, components or technology. Includes subsidiaries, affiliates, and parents of US businesses.

- Trade compliance officers
- Legal department
- Traffic personnel
- Administrators
- Customer service representatives
- Government liaisons
- Trade logistics personnel

TWO BACK-TO-BACK SEMINARS:

US Commercial Export Controls & Embargoes

2-DAY SEMINAR

MAY 20-21, 2009

A hands-on approach to complying with the **Export Administration Regulations** (EAR), including both export controls and antiboycott regulations, and Treasury Department trade embargoes.

TOPICS INCLUDE:

- Persons and Items Subject to US Jurisdiction
- US De Minimis Content Calculation
- Export Classification, NLR and License Exception Determination
- Denied Party, Red Flag and Proliferation Screening
- China Military Catch-All Rule
- Technical Data Reexports and Deemed Reexport, Third Country Nationals
- Office of Foreign Assets Control Regulations and EAR Special Country Controls: Iran, Cuba, Sudan, Syria, Iraq, North Korea
- US Antiboycott Regulations
- Export Enforcement and Compliance Programs
- Key Canadian Controls & Conflicts

US Defense Trade Controls

1-DAY SEMINAR

MAY 22, 2009

Learn the ins and outs of compliance with **International Traffic in Arms Regulations** (ITAR) in a format that is easy to digest.

TOPICS INCLUDE:

- Overview of US Defense Trade Controls
- ITAR Controlled Items and Activities
- License, Exemption and Agreements Requirements
- Supporting US Exporters Licensing Efforts
- Technical Data Considerations
- Dual Nationals and Third Country Nationals
- Sublicensing of ITAR Technical Data
- Brokering and Canadian Exemptions, Fees and Commissions
- Returning Defense Items to the US
- Canadian Controlled Goods Program
- ITAR Conflicts with Canadian Human Rights Law

NEW

This seminar will cover the new **Agreements Guidelines Requirements**

TO SIGN UP:

Complete the seminar registration form on page 3.

SIGN UP EARLY & SAVE:

Register by **April 18, 2009** to get an early registration discount!

TO BOOK THE HOTEL:

See the instructions on page 3.

SPONSORED BY



McCarthy
Tétrault



You can sign up for either seminar, or sign up for both and SAVE USD\$375!

US Export Controls on Non-US Transactions PROGRAM

US Commercial Export Controls & Embargoes Seminar

MAY 20-21, 2009

Program: 9:00 am to 5:00 pm
Registration: 8:00 am on May 20

Introduction to US Commercial Export Controls

- Key Control Concepts
- Comparison to International Controls
- Export Administration Regulations
- Bureau of Industry and Security

Items and Persons Subject to US Jurisdiction

- Controls on "US Persons"
- Controls on US Origin Hardware, Software and Technical Data
- Controls on Non-US Manufactured items Containing US Origin Content
- US De Minimis Content Calculation

Export Classification and Export Determination

- ECCN Classification
- "No License Required" Determination
- License Exception Determination
- Red Flag, Denied Party and Proliferation Screening
- New China Military Catch All Rule
- Canadian Exemptions:
Exports and Imports, Retransfers, Documentation Requirements
- License Requirements

US Embargo and EAR Special Country Controls

- Office of Foreign Assets Controls (OFAC)
- OFAC Comprehensive Embargoed Countries: Iran, Sudan and Cuba
- OFAC Licensing and Approval Policy
- EAR Special Country Controls: Syria, North Korea
- Control Status of Libya, Iraq and Palestine
- Specially Designated Nationals

EAR Antiboycott Regulations

- Introduction
- Relationship to Arab League Boycott on Israel and other Boycotts
- Applicability to Transactions Outside the US
- Prohibitions and Exceptions
- Reporting Requirements

Export Enforcement

- How US Rules are Enforced Outside the US
- Corporate and Personal Fines and Penalties
- Enforcement Case Studies
- Preventing Violations

Compliance Programs

- Considerations for developing a Corporate Export Compliance Program
- Types of Procedural Approaches
- US Government Compliance Program Recommendations

Technical Data Considerations

- Controls on Physical and Intangible Data
- Deemed Exports and Reexports
- Third Country National Considerations
- Emailed Data, Server Access and Downloads

Canadian Export Controls and Conflicts with US Requirements

US Defense Trade Controls Seminar

MAY 22, 2009

Program: 8:30 am to 5:00 pm
Registration: 8:00 am

ITAR Overview

- Control Concepts
- Controlled Activities
- United States Munitions List
- Directorate of Defense Trade Controls
- Reexports and Transfers
- US Defense Articles
- Technical Data
- Defense Services
- Prohibited Countries and Nationals
- Enforcement

ITAR Approvals

- Licenses
- Agreements
 - TAA's, MLA's and DA's
 - Licensees and Sublicensees
 - Dual and Third Country Nationals
 - NDA Requirements
- Supporting US Licensing Efforts
 - License Support Documents
 - Information to Provide US Partners

ITAR License Free Activities

- Canadian Exemption
- NATO Exemption
- Public Domain and Basic Marketing Information

Brokering

- Extra-Territorial Application
- Brokering Registration
- Prior Approvals
- Reporting

Political, Contributions Fees and Commissions

Returning Defense Articles to the US

- Temporary Import Licenses
- Temporary Import Exemption
- Notifying US Partners of Shipments

ITAR Ramifications on Non-US Business

- Defense Articles Restrictions
- Retransfer Approval Requirements
- Technical Data Controls
- Control Procedures

Canada's CGP

ITAR Conflicts with Canadian Human Rights Laws

Compliance Programs

©2008-2009 Export Compliance Training Institute

PROGRAM FORMAT

Participants receive training materials that contain annotated copies of the slides used by the instructors. Case studies are included. Questions are welcomed throughout the presentations. Instructors will be available before and after the presentations to discuss specific questions or issues. An Export Compliance Training Institute certificate is issued to each attendee upon completion of the seminar. Our training manuals are also available for sale, if you find you cannot attend this seminar. Dress code is business casual. A light breakfast, beverages, snacks and a lunch will be served each day. Special dietary requests can be accommodated; send your requests to Jill@learnexportcompliance.com no later than 3 weeks before the seminar.

Questions? Contact Jill Kincaid (540) 433-3977 Jill@learnexportcompliance.com

SPONSORED BY



McCarthy
Tétrault

pillsbury

SEMINAR REGISTRATION FORM

Please type or print clearly.

ATTENDEE INFORMATION

Attendee's First Name _____ Middle Initial _____

Attendee's Last Name _____

Title _____

Name for Certificate _____
 If different from above, enter your name as you would like it to appear on your certificate and name badge.

Company/Organization _____

Address _____

City _____

Province or State (if applicable) _____

Country _____

Postal Code or Zip _____

Phone _____ Fax _____

Email _____
 Seminar confirmation and payment receipt will be sent to this email address.

How did you learn about this seminar? _____

TUITION

	If You Pay Before or On April 18, 2009	If You Pay After April 18, 2009
US Commercial Export Controls & Embargoes	<input type="checkbox"/> \$1075USD	<input type="checkbox"/> \$1175USD
US Defense Trade Controls	<input type="checkbox"/> \$700USD	<input type="checkbox"/> \$750USD
OR register for BOTH Seminars	<input type="checkbox"/> \$1400USD	<input type="checkbox"/> \$1550USD

YOU SAVE \$375USD
when you sign up for both

Seminar Training Manual Options:

Printed manual INCLUDED with registration: NO CHARGE

Add CD-ROM in searchable format (optional): \$100USD

If you have a promo code, enter it here: _____

Total amount enclosed: _____

PAYMENTS BY CREDIT CARD:

American Express MasterCard Visa

Credit Card Number _____

Expiration Date _____

Card Security Code _____
AmEx: 4-digit number on front of card.
 MasterCard/Visa: 3-digit number on back.

Signature _____

Card Holder Name _____

Card Billing Address and Postal/Zip Code (If different from above) _____

OR BY CHECK:

Make check payable to:
 Export Compliance
 Training Institute

NOTE: Checks must be in US dollars and drawn on a US bank.
 Mail checks to our address below.
 Our Tax ID: 26-1638450

OR WIRE TRANSFER:

If you would like to pay by wire transfer, contact us for instructions.

Jill@learnexportcompliance.com
 Tel: (540) 433-3977
 Fax: (540) 433-3978

HOTEL INFORMATION

Seminar held at:
Le Centre Sheraton Montréal
 1201 Boulevard René-Lévesque West
 Montréal, QC, HSB 2L7 Canada

Telephone: (514) 878-2048
 Reservations: (800) 325-3535
 Website: www.Sheraton.com/Montreal

Special room rate for seminar attendees:
 \$249 CAD single/double

The discounted room rate is available until April 14, 2009

TO BOOK A ROOM:
 Call the hotel at
1-800-325-3535
 and mention the Export Compliance Training Institute

The cost of accommodation is not included in the seminar tuition. To book a room, please contact the hotel directly. Make your room reservations as early as possible to ensure room and rate availability.

SEMINAR DISCOUNTS

- ▶ Sign up early for the seminars by April 18, 2009 and save up to **\$150USD!**
- ▶ We also give discounts for multiple attendees from the same company, and companies participating in our Corporate Partnership Program. Please contact Jill@learnexportcompliance.com for details, before you register.

SEMINAR POLICIES

Manual: Each attendee receives a manual at the seminar. The manual is licensed for use by the seminar attendee only. If you need other options or more copies, contact us to discuss.

Cancellations: A cancellation fee of \$100 USD will be charged if the cancellation is made up to 15 days prior to the seminar. No refunds will be provided after this date, but a credit voucher can be issued for 80% of the paid tuition which can be used at any Export Compliance Training Institute seminar within a 12 month period.

Fax or mail this form to: Jill Kincaid, Manager Fax: (540) 433-3978
 Export Compliance Training Institute, 243-L Neff Avenue Harrisonburg, VA 22801 USA

US Export Controls

on Non-US Transactions: A PRACTICAL GUIDE

LE CENTRE SHERATON MONTRÉAL

▶ **US Commercial Export Controls & Embargoes**
May 20–21, 2009

▶ **US Defense Trade Controls**
May 22, 2009

OTHER EXPORT COMPLIANCE SEMINARS:

Austin, TX, USA

US Export Controls March 23–24, 2009
Defense Trade Controls March 25–26, 2009

Munich, Germany

US Commercial Export Controls & Embargoes 4–5 May, 2009
US Defense Trade Controls 6 May, 2009

Washington, DC, USA

US Export Controls June 15–16, 2009
Defense Trade Controls June 17–18, 2009

For more information & complete schedule, visit:
LearnExportCompliance.com

The Export Compliance Training Institute (ECTI) offers:

- Two to four day comprehensive training programs on the EAR and ITAR
- International seminars
- Special industry-focused programs such as seminars for aerospace, financial services, and information technology



CERTIFICATES

An Export Compliance Training Institute certificate is issued to each attendee upon completion of a seminar.



CONTINUING LEGAL EDUCATION CREDITS

Our seminars are approved for CLE credits by the California State Bar Association.

FREE NEWSLETTER: The Export Control Update

Subscribe to our free monthly email newsletter with US export controls news. Sign up at our website: learnexportcompliance.com/newsletter

TRAINING MANUALS

To order, go to: learnexportcompliance.com/orderform.pdf

SPONSOR A SEMINAR

Promote your company's services or products to ECTI's highly qualified audience of trade compliance professionals from USA and around the world. Customized sponsorship packages available. Contact us for details!

Contact Jill Kincaid (540) 433-3977

Corporate Partnership Program

Make our highly praised seminars the training of choice for all of your export compliance needs. We can offer volume discounts for your corporation across the United States and around the world. Contact us for a plan customized to the way your company does business.

Contact Jill Kincaid (540) 433-3977



EXPORT COMPLIANCE[®]
TRAINING INSTITUTE
LearnExportCompliance.com

INSTRUCTORS WITH EXPERIENCE

This series of seminars will be presented by up to three professional instructors from the ECTI faculty. ECTI staffs its seminars with instructors who are widely respected experts in the field of export compliance and have many years of experience in interpreting and applying the rules.

THE ECTI FACULTY INCLUDES:

JOHN R. BLACK is a Principal of **BSG Consulting** and has been involved in US export and trade control matters since 1984. He advises US and foreign companies, law firms and governments on US export and has earned a reputation as one of the leading experts in the field. From 1984–88 he worked for the US Commerce Department, where he wrote the Export Administration Regulations (EAR) and interpreted it for government and industry. He uses his comprehensive knowledge of the US rules that impact military and commercial companies to help his clients stay in compliance without missing legitimate business opportunities. He has been a featured speaker at over 100 conferences around the world and has written numerous articles and several books on the subject.

GREGORY J. CREESER is a partner with **International Trade Compliance Strategies** and a consultant to BSG Consulting. Prior to joining ITC Strategies as a compliance consultant Gregory held the position of Corporate Director for International Trade Compliance with Goodrich Corporation's Washington Operations Office. Prior his years with Goodrich, Greg worked for four years as the Corporate Manager for Export and Import Compliance within TRW's Washington Operations office. Greg began his career in the export arena by serving for 2 years as a licensing officer within the Office of Defense Trade Controls at the Department of State. Greg has held the position of President of the Board of Directors of the Society for International Affairs (SIA), a non-profit defense trade educational organization, from 2004-2006. Greg received his Bachelor of Science degree in Political Science and Economics from Texas A&M University in 1987.

MAARTEN W. SENGERS is a Principal of **BSG Consulting** and manages its Washington, DC office. He has extensive experience with export control regulations and has advised companies in a variety of industries on all aspects of export compliance. Mr. Sengers is intimately familiar with the Export Administration Regulations (EAR), the International Traffic in Arms Regulations (ITAR) and the Office of Foreign Assets Control Regulations (OFAC). He works extensively with government officials in export control matters and is thoroughly familiar with the regulatory process. Mr. Sengers is a regular seminar speaker on export controls worldwide. He received his law degree from the College of William and Mary in 1993 and his Bachelor's Degree in Economics with Honors from the University of Maryland in 1990. He is admitted to the New York, Washington DC, and Maryland bars.

SCOTT M. GEARTY is a Principal of **BSG Consulting**. Scott joins BSG from Microsoft Corporation, where he held a variety of international trade compliance roles. Prior to joining Microsoft, Mr. Gearty was a consultant at two boutique Washington-based export control consulting firms, MK Technology and Export Strategies, LLC. Mr. Gearty's clients have ranged in size from small start-ups to some of the world's largest companies, in industries including software, computer hardware, telecommunications, aerospace, and energy. Mr. Gearty is practiced in designing and implementing compliance programs, integrating controls into enterprise resource planning systems, conducting audits, and seeking export authorizations from government agencies. Mr. Gearty holds a Bachelor of Arts degree in international studies and economics from American University. He is also a licensed US customs broker.

SPECIAL SPEAKERS IN MONTRÉAL:

JOHN BOSCARIOL is head of **McCarthy Tétrault's** International Trade and Investment Law Group and a partner in the Litigation Group. He is ranked as a leader in the field of international trade law in numerous legal directories, and has been identified as one of the top 25 international trade lawyers in the world by *Expert Guides to the World's Leading Lawyers - Best of the Best 2008*. Mr. Boscariol is a recognized expert on compliance and enforcement matters with respect to export controls over goods, technology and services, military and defense controls and related programs, economic sanctions, blocking orders regarding foreign extraterritorial measures, Canada's Controlled Goods Program, government contracts, and other trade controls and national security measures. He also advises both private and public sector clients on the application of international trade and investment protection agreements and other international trade matters which include anti-dumping, countervail and safeguard measures, anti-corruption, and all customs tariff and enforcement issues. Mr. Boscariol is active in the American Bar Association as Vice Chair of the Export Controls and Economic Sanctions Committee and Co-Chair of the Canada Committee. He also is Chair of the Ontario Bar Association's International Law Section. He received his B.Comm. (Gold Medalist) from the University of Toronto in 1990. He received his LLB from the Faculty of Law at the University of Toronto and was called to the Ontario bar in 1995. In 1998, he received his LLM (International Trade and Competition Law) from the Osgoode Hall Law School.

THOMAS M. DEBUTTS is a partner with **Pillsbury Winthrop Shaw Pittman LLP** in Washington, DC. His practice is concentrated in assisting domestic and foreign firms negotiate the complex web of U.S. international trade controls. His practice focuses primarily on the EAR, the ITAR and OFAC regulations. Mr. deButts' extensive experience includes compliance reviews and internal investigations for possible violations of U.S. export control and sanctions regulations; voluntary disclosure of such violations; obtaining export and reexport authorization for all types of commodities, software and technology, including encryption technology and software; preparing and implementing export compliance programs and export management systems; obtaining export control classification determinations, commodity jurisdiction determinations, and reversal of export classification decisions by U.S. government agencies; obtaining authority for transactions with embargoed countries; export control due diligence reviews for potential corporate acquisitions; representation of companies in administrative enforcement proceedings before BIS, DDT, OFAC and the Department of Homeland Security (DHS), Customs and Border Protection (CBP); notifications to CFIUS of proposed acquisitions of strategic U.S. entities and negotiations with relevant agencies to secure approval. Mr. deButts served in BIS from 1984 to 1989 where he was Director of the Exporter Assistance Staff. J.D., George Mason University School of Law, 1991 and A.B., Duke University, 1981.