



March 22, 2021

RealWear, Inc. Self-Classification of HMT series devices under U.S. Export Administration Regulations (EAR).

Product Name (model number(s))	HMT-1 (Mod T1100G, T1200G) HMT-1Z1 (Mod T1100S)
Manufacturer	RealWear, Inc.
Review Date	April 5, 2019 (updated March 15, 2021 to include model update)
Reviewer Name	Dr Christopher Parkinson, CTO of RealWear, Inc. (technical) Jonathan Epstein, Holland & Knight LLP (regulatory)
Summary	The commodities (“products”) are self-classified under Export Control Classification number (ECCN) 5A992.c as “mass market” encryption commodities under 15 C.F.R. § 740.17 (b)(1) of the U.S. Export Administration Regulations (EAR). The products are eligible for export to most countries and most end-users without a license, and no prior U.S. Government review (CCATS #) is required.
Export of Product from U.S.	These products are self-classified under ECCN 5A992.c. Under current regulations, the product can generally be exported from the U.S. to most countries (other than embargoed countries including but not limited to, Cuba, Iran, Syria, Sudan, North Korea and the Crimea region of Ukraine), provided that the end user or end use is not prohibited under the EAR without a License “NLR” (no license required)

	<p>Invoices or other export control documentation for exports from the U.S. should contain a Destination Control Statement per 15 C.F.R. § 758.6 as follows:</p> <p><i>"These items are controlled by the U.S. Government and authorized for export only to the country of ultimate destination for use by the ultimate consignee or end- user(s) herein identified. They may not be resold, transferred, or otherwise disposed of, to any other country or to any person other than the authorized ultimate consignee or end-user(s), either in their original form or after being incorporated into other items, without first obtaining approval from the U.S. government or as otherwise authorized by U.S. law and regulations."</i></p>
EU Classification	<p>The products are not controlled on the European Union dual use list. Council regulation 428/2009 as amended controls certain dual use goods including certain commercial products utilizing encryption. However, in 2017 the EU "decontrolled" mas market encryption devices and software under Cryptography Note 3 to Category 5, Part 2 (information security) under the same substantive criteria as under the EAR. (the UK Government published guidance of this decontrol in April 2018 that goes into considerable depth on this subject.</p> <p><a href="https://www.gov.uk/government/publications/notice-to-exporters-201807-guidance-on-the-cryptography-note/notice-to-exporters-201807-guidance-on-the-cryptography-note">https://www.gov.uk/government/publications/notice-to-exporters-201807-guidance-on-the-cryptography-note/notice-to-exporters-201807-guidance-on-the-cryptography-note</a></p>

Sincerely,

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Chris Parkinson  
Chief Technology Officer  
RealWear, Inc.

NOTE: Products are for sale only in approved countries which are available at: <https://www.realwear.com/approved-countries> and may not be exported. Further, sales of all Products must comply with all laws and regulations applicable to use, import, export, or sale of the Products including, for example, customs and export laws of the U.S. and the country to which the Product is shipped or in which the Product is used.