

Servers / Storage / Solutions / DEPARTMENT

Advanced IC and Computing & Headquarters Certification

Effective November 17, 2023, the U.S. Government places new restrictions on the export, reexport and transfer (in-country) of certain advanced integrated circuits (ICs) as well as computers, electronic assemblies and computing components that incorporate such advanced ICs (collectively, "Restricted IC Product"), to or within the following countries [See 88 Fed. Reg. 73458 (Oct. 25, 2023) and the Export Administration Regulations (EAR)]:

- Afghanistan, Armenia, Azerbaijan, Bahrain, Belarus, Burma, Cambodia, Central African Republic, China & Hong Kong, Congo, Cuba, Egypt, Eritrea, Georgia, Haiti, Iran, Iraq, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Laos, Lebanon, Libya, Macau, Moldova, Mongolia, Nicaragua, North Korea, Oman, Pakistan, Qatar, Russia, Saudi Arabia, Somalia, South Sudan, Syria, Sudan, Tajikistan, Turkmenistan, United Arab Emirates, Uzbekistan, Venezuela, Vietnam, Yemen, Zimbabwe.

We acknowledge:

- Any such Restricted IC Product described by these restrictions, is subject to the requirements of the EAR, including the applicability of the EAR to certain items produced outside of the United States (e.g., through the Foreign Direct Product Rules of the EAR or the De Minimis provisions of the EAR); and
- Any change in end user or end use within the same country is a "transfer (in-country)" of the items, including (i) a change in end use from local storage to use in building a finished system or (ii) the sale of the products to a customer.

We also certify that any Restricted IC Product, whether procured directly or indirectly, without first obtaining all required authorizations from the U.S. Government and/or other applicable governments:

1. Will not be exported, reexported, or transferred (in-country) to or within China or any other country listed above, on or after November 17, 2023;
2. Will not be exported, reexported, or transferred (in-country) to or within any country not identified above, if for an entity headquartered in, or with a parent headquartered in, any of the following countries (which are subject to regulatory changes from time to time): Afghanistan, Belarus, Burma, Central African Republic, China & Hong Kong, Congo, Cuba, Eritrea, Haiti, Iran, Iraq, Lebanon, Libya, Macau, Nicaragua, North Korea, Russia, Somalia, South Sudan, Sudan, Syria, Venezuela, Zimbabwe.



3. Will not be exported, reexported, or transferred (in-country) to, or purchased by, any party subject to the U.S. Entity List or similar lists of parties included on the export or sanctions lists administered by the United States (collectively, "Restricted Party List"), including any party owned directly or indirectly, individually or in aggregate, 50 percent or more by one or more parties subject to Restricted Party List; and

4. Will not otherwise be used in relation to any supercomputer (i.e., a computing system having a collective maximum theoretical compute capacity of 100 or more double-precision (64-bit) petaflops or 200 or more single precision (32-bit) petaflops within a 41,600 ft³ or smaller envelope) in China, Hong Kong, Macau or other destination in Country Group D:5 of the EAR.

Certification of Headquarters Location

The EAR includes authorization requirements in certain situations when the advanced ICs or advanced computing items are for an entity that is headquartered in one of the following, or for an entity with a parent or ultimate parent, that is headquartered in one of the following (which are subject to regulatory changes from time to time):

- Afghanistan, Belarus, Burma, Central African Republic, China (including Hong Kong), Congo (Democratic Republic of the), Cuba, Eritrea, Haiti, Iran, Iraq, Lebanon, Libya, Macau, Nicaragua, North Korea, Russia, Somalia, South Sudan, Sudan, Syria, Venezuela, Zimbabwe.

We certify that the Company identified in the signature block, and each of its parents, is NOT owned directly or indirectly, individually or in aggregate, 50 percent or more by one or more parties subject to the following restricted lists or similar restricted lists of parties included on the export or sanctions lists administered by the United States:

- BIS Entity List (Supplement No. 4 to Part 744 of the Export Administration Regulations (EAR))
- BIS Military End-User (MEU) List (Supplement No. 7 to Part 744 of the EAR)
- OFAC Specially Designated Nationals (SDN) List (Sanctions List Search, U.S. Department of the Treasury)





We further certify that the current headquarters (HQ) location of the Company, and each of its parents, and ultimate parent, is as follows:

1. Company Name: _____ URL: _____ Company HQ Address:

2. Parent Name: (if applicable) _____ URL: _____ Parent HQ Address:

3. Ultimate Parent Name: _____ URL: _____ Ultimate Parent HQ Address:

We provide the additional information below to support the certifications above:

Any additional information explaining any recent changes to HQ location or discrepancies in public materials: _____

If there are any future changes to the Company's ownership structure, the status of any entity listed above, or the information provided herein, we will promptly notify CORE829 and provide updated information.

We understand that:

1. There may be future disruptions to the availability of advanced ICs and there is no guarantee that identical or compatible replacements will be available under any warranty claim or support service if an advanced IC is present in any of the countries listed earlier.

2. The information supplied in this Certification will be used to comply with U.S. laws and regulations.

I certify that the foregoing is true and correct to the best of my knowledge. I further certify that I have the lawful authority to sign this document on behalf of the below listed company.

Company Name _____ Print Name _____ Title _____

Email _____ Telephone Number _____

Signature _____ Date _____

