Identification of U.S. Persons as Potential Sub-licensees

This notice serves as a revision to Section 3.2.c.(3) of the Guidelines for Preparing Agreements dated June 25, 2008.

DTCL has removed restrictions pertaining to the identification of U.S. Persons as potential Sub-licensees to a foreign party. Sub-licensing to a U.S. Person by a foreign licensee may be identified in an agreement application to DTCL; however, the transfer of any defense articles, to include technical data to the identified U.S. sub-licensee must be conducted as part of a separate export authorization (TAA, MLA, or DSP license). Potential U.S. sub-licensees must be identified in the agreement application in accordance with Section 3.2.b. – Requirements for all Sub-Licensing Requests of the Guidelines for Preparing Agreements.

Specific modification to Section 3.2.c.(3) of the Guidelines for Preparing Agreements will be included to reflect this change as part of the next revision.