

Appendix 1: "Letter of Confirmation" to submit to your organization

Confirmation Letter regarding the Applicability of the Specific Categories for Compliance with Article 25 (1) and (2) of the Foreign Exchange and Foreign Trade Act

To:
Date:
Address:
Name:

I understand when [INSERT ENTITY NAME] transfers technology to a resident who falls under the clauses 1(3)サ① or ② of the "Notification for Transactions or Acts of Transferring Technology Requiring Permission pursuant to Article 25 (1) of the Foreign Exchange and Foreign Trade Act and Article 17 (2) of the Foreign Exchange Order" (Document No. 492 of the Trade Bureau published on December 21, 1992; hereinafter referred to as the "Notification for Technology Transfer"), [INSERT ENTITY NAME] is likely to be required to obtain a license from the Minister of Economy, Trade, and Industry pursuant to Article 25 (1) and (2) of the Foreign Exchange and Foreign Trade Act, and, for the sake of compliance by [INSERT ENTITY NAME] with the clauses 1(3)サ① or ② of the Notification for Technology Transfer, I hereby confirm that I:

- fall under the category (1) below.
- fall under the category (2) below.
- fall under the categories (1) and (2) below.
- DO NOT fall under any of the categories below and no confirmation is required.

Check this box if you fall under Category 1. (cf. Page 4 of this material)

You fall under Category 1 if you have contracted with a foreign government or a foreign corporation.

The following cases are the exceptions of Category 1.

- You are employed by a group company of the Japanese company that you work for; or
- The order and direction of the Japanese company that you work for supersede that of a foreign government or foreign company, based on the agreement between the Japanese company or you and the foreign government or the foreign company.

Please check this box if you fall under Category 2.

You fall under Category 2 if you earn a large amount of money or other significant profit from foreign government.

* "A large amount of money" means profit that accounts for 25% or more of your annual income.

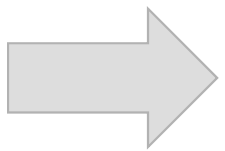
Please check this box if you fall under both Category 1 and 2.

Please check this box if you do not fall under neither Category 1 nor 2.

Appendix 2: The flowchart to Check regarding Category 1

Have you entered into an employment contract (regardless of its name) or a delegation contract as a board member with a foreign corporation or a foreign government?

NO



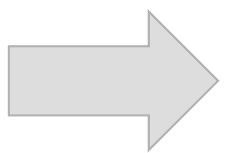
You do NOT fall under Category 1.



YES

Is there any agreement that confirms the direction or the duty of care according to the contract with your organization in Japan (i.e., the destination of your letter of confirmation) supersedes the direction or the duty of care according to the contract with your foreign corporation or foreign government?

YES

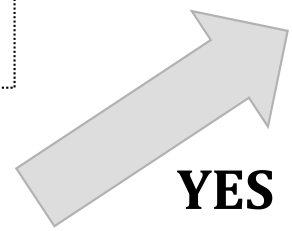


You do NOT fall under Category 1.



NO

Is the foreign corporation with which you have contracted a group company of your organization in Japan (i.e., the destination of your letter of confirmation)?



YES

You MIGHT fall under Category 1. Please check the original text of the "Notification for Technology Transfer."



NO

Appendix 3: The flowchart to Check regarding Category 2

