


<b>APPROVED WITH PROVISOS</b>							
	<p>Signature</p> <p style="font-size: 1.2em; font-weight: bold;">Jonathan M Dennis</p> <p style="font-size: 0.8em;">Digitally signed by Jonathan M Dennis DN: cn=US, o=DST ACES Business Representative, ou=PM DDTC, cn=Jonathan M Dennis, o=DST ACES Business Representative, ou=PM DDTC, c=US Date: 2013.05.10 16:15:17 -0400</p> <p style="text-align: center; font-size: 0.8em;">(For DTC Use Only)</p>	<p>Date Issued : 05/10/2013</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">License No: <b>050453832</b></td> <td style="width: 50%;">License Valid For 48 Months From Above</td> </tr> <tr> <td> </td> <td>Date</td> </tr> </table>		License No: <b>050453832</b>	License Valid For 48 Months From Above		Date
License No: <b>050453832</b>	License Valid For 48 Months From Above						
	Date						
<p>License is hereby granted to the applicant for the described commodity to be permanently exported from the United States. This license may be revoked, suspended or amended by the Secretary of State without prior notice whenever the Secretary deems such action advisable.</p>							
<p>UNITED STATES OF AMERICA DEPARTMENT OF STATE</p> <p>APPLICATION/LICENSE FOR PERMANENT EXPORT OF UNCLASSIFIED</p> <p>DEFENSE ARTICLES AND RELATED UNCLASSIFIED TECHNICAL DATA</p>							
1. Date Prepared	2. PM/DDTC Applicant/ Registrant Code	3. Country of Ultimate Destination	4. Probable Port of Exit from U.S.				
05/09/2013		NETHERLANDS (THE)	Los Angeles, CA				
<p>5. Applicant's Name, Address, ZIP Code, Telephone Number</p> <p>Applicant Type: Manufacturer Maxwell Technologies, Inc.</p> <p>Attention: Alma Cravens</p> <p>9244 Balboa Avenue San Diego, CA 92123 858-503-3262 ext.</p>							
<p>6. Name, agency and telephone of U.S. Government personnel (not PM/DDTC) familiar with the commodity.</p>							
<p>7. Name and telephone numbers of applicant contact if U.S. Government needs additional information.</p> <p>Alma Cravens 858-503-3262 ext.</p>							
<p>8. Description of Transaction:</p> <p>A. This Application represents only the unshipped balances under license</p>							

050449733

B. This Application has related license no(s)

~~was licensed to the country in Block 3 of the first page under license no(s)~~☐ was licensed to other countries under license no (s).☐ was returned without action under voided license no (s).☐ was denied to the country in Block 3 of the first page under voided license(s)

C. This Application is in reference to agreement no(s)

D. If the commodity is being financed under:

☒ Not Applicable☐ Foreign Military Sale☐ Foreign Military Financing☐ Grant Aid Program

E. Defense Trade Controls Compliance

This application is related to a disclosure filed with Defense Trade Controls Compliance ☒ No ☐ Yes

Item #	9. Quantity	10. Commodity	11. USML Category Number	12. \$ Value
1	Quantity : 1 Unit Type : Lots	Request for Reconsideration of Proviso to DSP-5 License Number 050449733  Defense Article Type : Technical Data	XV(f)  Is a DSP-83 attached? No	
2	Quantity : 15 Unit Type : Pieces	28LV010RPFS-25, EEPROM, 1 Megabit (128 x 8), 250ns, Low Volt  Defense Article Type : Hardware	XV(e)  Is a DSP-83 attached? No	

			13. TOTAL VALUE(Sum of All Pages)	
<b>14. Name and address of foreign end-user</b>				
European Space Agency Keplerlaan 1 AG Noordwijk, 2200 NL				
<b>15. Manufacturer of Commodity</b>				
Maxwell Technologies, Inc. 9244 Balboa Avenue San Diego, CA 92123 US				
<b>16. Name and address of foreign consignee</b>				
Institut Fur Experimentelle und Angewandte Physik; The Extraterrestrial Physics Group Christian Albrechts University, Leibnizstrasse 19 Kiel, 24118 GM  Kayser-Threde GmbH Wolfratshauser Strasse 48 Munich, 81379 GM  RUAG Space AB Solhusgatan.11 Goteborg, 412 76 SW  HIMAC 4-9-1 Anagawa, Inage Ward, Chiba Chiba Prefecture JA				

Physikalisch Technische Bundesanstalt-PTB

Bundesallee 100

Braunschweig, 38116

GM

IABG GmbH

Einsteinstrasse 20

Ottobrunn, 85521

GM

ZARM-University of Bremen

Am Fallturm

Bremen, 28359

GM

IberEspacio S.A.

Magallanes, 3, 4a planta

Madrid, 28015

SP

IDR/ UPM, E.T.S.I. Aeronauticos

Pza, Cardenal Cisneros 3

Madrid, 28040

SP

Universidad de Alcala

Alcala de Henares

Madrid Barcelona, 28871

SP

Instituto Nacional Tecnica Aeroespacial

Carretera de Ajalvir, km 4

Torrejón de Ardoz (Madrid), 28850

SP

European Space Research and Technology Center

Keplerlaan 1

AG Noordwijk, 2200

NL

IABG GmbH  
Einsteinstrasse 20  
Ottobrunn, 85521

GM  
Astrium Ltd  
Gunnels Wood Road, Stevenage  
Hertfordshire, SG1 2AS  
UK  
Alter Technology TUV NORD S.A.U.  
c/ Avda. Tomas Alba Edison 4, Isla de la Cartuja  
Seville, 41092  
SP

**17. Source of Commodity**

Maxwell Technologies, Inc.  
9244 Balboa Avenue  
San Diego, CA 92123 US

**18. Name and address of foreign intermediate consignee**

Arianespace  
Boulevard de l'Europe Evry-Courcouronnes Cedex, France c/o  
Kourou  
FG  
Launch Provider; Launch Site, Launcher: Ariane 5 (backup only)  
UPS  
Parcela B-4, Poligono San Nicolas  
Alcala de Guadaira, Sevilla 41500  
SP  
Freight Forwarder  
TNT  
Avda. De Bruselas, 6  
Alcobendas (Pol. Ind), Madrid, 28108

SP

Freight Forwarder

FEDEX

Centro de Carga Aerea

Madrid, 28042

SP

Freight Forwarder

DHL

C/ Rumania, 4

Coslada, Madrid 28820

SP

Freight Forwarder

Transnatura

C/ Luxemburgo 1, Centro de Transportes Coslada

Madrid, 28820

SP

Freight Forwarder

**19. Name and address of Seller in United States**

Maxwell Technologies, Inc.

9244 Balboa Avenue

San Diego, CA 92123

**\* 20. Specific purpose for which the material is required, including specific Program/End Item.**☐ Off-Shore procurement☐ Brokering (22 CFR § 129)☐ Request for Prior Approval (22 CFR § 126.8)☒ Other

Request for Reconsideration of Proviso to DSP-5 License Number. Launch information is provided in Block 21 and Block 18. Maxwell's components will be integrated in Energetic Particle Detector (EPD) for the SOLAR ORBITER

Program. 8 parts will be used for the Flight Model; 2 parts will be used to perform Destruct Physical Analysis (DPA) and 5 parts will be used to perform Quality Conformance Inspection (QCI) groups. DPA parts and QCI parts will remain at ALTER TECHNOLOGY TÜV NORD S.A.U. but will remain property of European Space Agency (ESA). EPD will measure the composition, timing and distribution functions of suprathermal and energetic particles. Scientific topics to be addressed include the sources, acceleration mechanisms, and transport processes of these particles.

The SOLAR ORBITER Program is part of the European Space Agency's Cosmic Vision Mission and will explore the connection

**21. Name and address of consignor and/or freight forwarder in United States**

FedEx Corporation and Other U.S. Offices

942 South Shady Grove Road

Memphis, TN 38120

UPS Corporate Headquarters and Other U.S. Offices

55 Glendale Parkway NE

Atlanta, GA 30328

UPS Supply Chain Solutions

12380 Morris Road

Alpharetta, GA 30005

UPS Supply Chain Solutions

5255 Lovelock Street

San Diego, CA 92110-4012

Schenker, Inc. and Other U.S. Offices

150 Albany Ave.

Freeport, NY 11520

DHL Express Headquarters and Other U.S. Offices

1200 South Pine Island Road, Suite 600

Plantation, FL 33324

DHL-Danzas Air & Ocean

33 Washington Street, 14th Fl.

Newark, NJ 07102

Fagioli PSC USA Inc.

8434 Brookside Road

Pearland, TX 77581

KOG Transport Inc.  
299 Boardway, Suite 1851  
New York, NY 10007

DB Schenker  
230-79 Rockaway Blvd., Suite 200  
Jamaica, NY 11413  
United Launch Alliance  
Kennedy Space Center SR 405  
Orlando, FL 32899

\* 22. Applicant's statement

I, Larry L Longden, an empowered official (22 CFR § 120.25) or an official of a foreign government entity in the U.S., hereby apply for a license to complete the transaction above; warrant the truth of all statements made herein; and acknowledge, understand and will comply with the provisions of Title 22 CFR § 120-130, and any conditions and limitations imposed.

I am authorized by the applicant to certify the following in compliance with 22 CFR § 126.13:

- (1) Neither the applicant, its chief executive officer, president, vice presidents, other senior officers or officials (e.g., comptroller, treasurer, general counsel) nor any member of its board of directors is:
- (a) the subject of an indictment for or has been convicted of violating any of the U.S. criminal statutes enumerated in 22 CFR § 120.27 since the effective date of the Arms Export Control Act, Public Law 94-329, 90 Stat. 729 (June 30, 1976); or
- (b) ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from any agency of the U.S. Government;
- (2) To the best of the applicant's knowledge, no party to the export as defined in 22 CFR § 126.7 (e) has been convicted of violating any of the U.S. criminal statutes enumerated in 22 CFR § 120.27 since the effective date of the Arms Export Control Act, Public Law 94-329, 90 Stat. 729 (June 30, 1976); or is ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from any agency of the U.S. Government; and

22 CFR § 126.13 Certification (Select one):

- ☒ a. I am authorized by the applicant to certify that the applicant and all the parties to the transaction can meet in full the conditions of 22 CFR § 126.13 as listed above.
- ☐ b. I am authorized by the applicant to certify to 22 CFR § 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR § 126.13 as listed above. A request for an exception to policy, as described in Section 127.11 of the ITAR, is attached.



— c. I am authorized by the applicant to certify to 22 CFR § 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR § 126.13 as listed above. However that party has met the conditions imposed by the Directorate of Defense Trade Controls in order to resume standard submission of applications, not requiring an exception to policy as described in Section 127.11 of the ITAR.

— d. I am not authorized by the applicant to certify the conditions of 22 CFR § 126.13. The applicant and all the parties to the transaction can meet in full the conditions of 22 CFR § 126.13 as listed above. Please see the attached letter from an official that is authorized by the applicant to certify to the conditions of 22 CFR § 126.13.

— e. I am not authorized by the applicant to certify the conditions of 22 CFR § 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR § 126.13 as listed above. A request for an exception to policy, as described in Section 127.11 of the ITAR, and a letter from an official that is authorized by the applicant to certify to the conditions of 22 CFR § 126.13 are attached.

— f. I am not authorized by the applicant to certify to 22 CFR § 126.13. The applicant or one of the parties of the transaction cannot meet one or more of the conditions of 22 CFR § 126.13 as listed above. However that party has met the conditions imposed by the Directorate of Defense Trade Controls in order to resume standard submission of applications, not requiring an exception to policy as described in Section 127.11 of the ITAR. Please see the attached letter from an official that is authorized by the applicant to certify to the conditions of 22 CFR § 126.13.

Compliance with 22 CFR § 130 (Select one)

- ☒ This transaction does not meet the requirements of 22 CFR § 130.2.
- This transaction meets the requirements of 22 CFR § 130.2. The applicant or its vendors have not paid, nor offered, nor agreed to pay, in respect of any sale for which a license or approval is requested, political contributions, fees or commissions in amounts as specified in 22 CFR § 130.9(a).
- The applicant or its vendors have paid, or offered, or agreed to pay, in respect of any sale for which a license or approval is requested, political contributions, fees or commissions in amounts as specified in 22 CFR § 130.9(a). Information required under 22 CFR § 130.10 is attached.
- I am not authorized by the applicant to certify the conditions of 22 CFR § 130.9(a). Please see the attached letter for such certification.

Signature :

23. License to be to: (Enter name, address and phone number)

Conditions of Issuance

1. This license is issued under the conditions cited in 22 CFR § 120 - 130, including the provisos as applicable, that:

A. It shall not be construed as implying U.S. Government approval or commitment to authorize future exports of any article (equipment or technical data) on the Munitions List, or a U.S. Government commitment with regard to any proposed manufacturing license or technical assistance agreements which may result from an authorized export.

B. If a license is issued for technical data only, it does not authorize the export of any hardware; if a license is

issued for hardware only, it does not authorize the export of any technical data, unless specifically covered by an exemption.

The issuance of this license does not release the licensee from complying with other requirements of U.S. law and regulations.

2. The prior written approval of the Department of State must be obtained before U.S. Munitions List articles exported from the U.S. under license or other approval may be resold, diverted, transferred, transshipped, reshipped, reexported to, or used in any country, or by any end-user, other than that described on the license or other approval as the country of ultimate destination or the ultimate end-user.

#### PROVISOS

The Department of State has reviewed your request for reconsideration of Provisos 1 and as a result, the following provisos apply:

1. All foreign parties MUST be informed in writing that this authorization DOES NOT include approval for launch of the satellite. Export of the complete satellite for launch must be the subject of a separate authorization under 22 CFR 123.9 of the International Traffic In Arms Regulations (ITAR) which specifies one or more potential launch providers.

Note: When the launch provider is known or a definitive list of possible launch providers has been identified, the applicant is required to include this information in Block 18 (Foreign Launch Providers) and/or Block 21 (US Launch Providers) of the DSP-5 license application. (Deleted in DSP-5 050453832)

2. This license replaces DSP-5 050449733 which is now invalid and may not be utilized/shipped against. The provisions of 123.22 (c)(4) are applicable to the precedent authorization. A written statement confirming the applicant's understanding of this requirement must be uploaded into the case file of the precedent case. (New by 050453832)

#### RETURN OF LICENSE

This license must be returned to PM/DDTC, SA-1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, U.S. Department of State, Washington, DC 20522-0112 when: (1) the total value authorized has been shipped; (2) the applicant states that there will be no further shipments; (3) the date of expiration is reached; or (4) when requested by the Directorate of Defense Trade Controls.

#### ENDORSEMENT

Indicate below which ITEM on the face of the license is BEING EXPORTED and maintain a CONTINUING BALANCE of the remaining value:

SHIPMENT DATE	QUANTITY	COMMODITY	SHIPMENT VALUE	SED NO.	INITIALS	PORT OF EXIT/ENTRY
TOTAL AUTHORIZED VALUE :						

[illegible]