



# International Trade Policy

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**Issuing Authority:** Chief Legal Officer with notice to the Global Business Integrity Committee

**Document Owner:** Business Integrity Officer

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## Basis for Policy

Global trade laws regulate (and in some cases prohibit) the Export, Re-Export, and import of Elastic's software and Technology (which include oral or written communications containing technical information) to selected countries/regions, organizations, companies, or individuals. In addition, the United States and many other countries maintain strict controls on trading with countries/regions, organizations, companies, or individuals that they consider unfriendly or dangerous, as well as on complying with Unsanctioned Foreign Boycotts.

Elastic maintains this Policy to comply with not only the letter, but also the spirit and intent of all Export control, trade sanctions, and antiboycott laws and regulations of the United States and the other countries where we do business.

This Policy applies to Elastic's operations worldwide and to all of its directors, officers, and employees, wherever they are located. It is your responsibility to have a basic understanding of Export control, trade sanctions, and antiboycott laws, know the requirements of our compliance procedures where applicable to your duties, and seek timely guidance if necessary.

## Statement of Policy

It is Elastic's corporate policy to fully comply with all Export control, trade sanctions, and antiboycott laws and regulations of the United States and all other countries where we do business. Under no circumstances may an Export, Re-Export, or import (whether of a service, a commodity, technical data, or Technology) or any other Transaction be made that is contrary to these laws and regulations or to Elastic's policies and procedures governing international Transactions.

## Expectations

To ensure Elastic's compliance with Export control, trade sanctions, and antiboycott laws and regulations, all Transactions, as defined below, must undergo proper classification, screening, and authorization *prior to their execution*, consistent with the following:

- **Classification:** Products involved in a Transaction must be classified for Export control purposes (e.g., by assigning an Export Control Classification Number (ECCN) as required under U.S. regulations).
- **Screening:** Transactions must be screened for end-use and end-users in accordance with Elastic's established procedures.
- **Authorization:** Transactions must be licensed, eligible for a license exception, or otherwise authorized by an appropriate authority (if required).

Every officer, director, and employee of Elastic involved in international business Transactions is expected to understand the basic elements of laws governing international trade and must comply with them at all times. These laws and regulations are very detailed and complicated, but this is what all Elasticians need to know:

- **Prohibitions:** Elastic will not do any business with Sanctioned Persons or persons or entities in Sanctioned Countries (as defined below), including Belarus, Cuba, Iran, North Korea (DPRK), Sudan, Syria, Russia, including the Ukrainian territories annexed by Russia (The Crimea region of Ukraine, The Donetsk People's Republic (DNR), The Luhansk People's Republic (LNR), Kherson and Zaporizhzhia) ;
- **Boycotts:** Elastic will not participate in any unsanctioned boycotts of foreign states;
- **Exports:** Exports and Re-Exports are not only limited to goods physically crossing the borders, but can also include software downloads or the transfer of information (and, in some cases, services provided) from one country to another;
- **Deemed Exports and Licensing:** Transfers of U.S. Technology made (i) to non-U.S. persons (i.e., individuals who are not U.S. citizens, green card holders, or refugees) located in the United States ("Deemed Exports"), or (ii) to persons who are nationals of a country other than the country in which the transferring party is located ("Deemed Re-Exports") may also be subject to Export controls. Transferring Elastic Technology to nationals of Sanctioned Countries, wherever these individuals may be located, is generally prohibited without first obtaining a U.S.<sup>1</sup> Deemed Export or Deemed Re-Export license;
- **Encryption:** Elastic products typically use or contain encryption, and this requires an additional level of analysis as to whether an Export license or other type of authorization is required;
- **Third-Parties:** Elastic also requires our distributors, partners, and end customers to comply with these rules; and
- **Global Applicability:** These rules must be followed regardless of where in the world Elastic is doing business or someone is doing business on Elastic's behalf.

All of us at Elastic must understand that compliance with the international trade laws and regulations is more important than completing any sale. Failure to comply with these laws and regulations could result in monetary fines for the individuals involved, as well as Elastic, and may also result in the loss of Elastic's Export privileges, imprisonment of individuals involved, and other penalties. For example, for violations of the U.S. Export Administration Regulations (EAR), the maximum penalty is up to US\$1 million in fines and imprisonment. Noncompliance by anyone at Elastic will be met with appropriate disciplinary action, including the possibility of employment termination.

## Compliance Program

Elastic has established a compliance program that regulates classification, screening, licensing, recordkeeping, monitoring, and auditing procedures in support of the company's compliance obligations and objectives. The program also includes periodic training that all Elasticians involved in international business Transactions are expected to complete. The procedures applicable to our business in the United States are set forth in the . Export Compliance Manual that all Elasticians involved in international trade must be familiar with.

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<sup>1</sup> The obligation for Elastic to obtain an Export or Re-Export license from the "BIS" before "releasing" controlled Technology (i.e., Elastic source code) to certain foreign nationals, is informally referred to as a Deemed Export or Deemed Re-Export. Releases of controlled Technology to certain foreign persons in the U.S. or abroad are "deemed" to be an Export or Re-Export to the person's country or countries of nationality.

Currently, much of Elastic's software and Technology is subject to a licensing requirement under the U.S. Export Administration Regulations, but they can be Exported from the United States to most destinations and end-users without a need to apply for a specific license. Still, the Export Administration Regulations may not be the only laws or regulations that apply to a given Transaction, and the applicable laws and regulations are complex and revised frequently. Our compliance program requires that for each Transaction, you need to answer these four questions:

- Is there an Export, Re-Export, or transfer?
- Is a license required based upon the technical specifications of the Technology, commodity, or software to be Exported, Re-Exported, or transferred?
- Is a license required due to the characteristics of the end-user or the destination (for example, if the end-user or destination is a Sanctioned Person, entity, country, or territory)?
- Is a license required based upon the end-use (for example, end-use in weapons of mass destruction or other military end-use)?

If a license or other approval is required, then Elastic will not proceed until such approval is obtained. We must not knowingly violate any order, term, or condition of a license or license exception, and we must not proceed with any Transaction if we have knowledge that a violation has occurred or is about to occur.

The VP, Business Integrity bears the overall responsibility for the administration of the International Trade Policy and related compliance program. The VP, Business Integrity coordinates all aspects of the compliance program and works with the Export Control Officer and Trade Compliance Manager to continually improve the program and ensure its implementation throughout Elastic. The Export Control Officer and Trade Compliance Manager are responsible for proper classification of all Elastic products, periodic filings, and report submissions to the relevant authorities. The Trade Compliance Manager is responsible for the day-to-day screening of individuals, entities, and organizations to whom Elastic sells or proposes to sell its products or services.

Any questions that arise concerning international trade compliance should be referred to the Global Trade Compliance team at [trade-compliance@elastic.co](mailto:trade-compliance@elastic.co). They will either determine that no license is required or ensure that the appropriate licenses are obtained before a Transaction can proceed.

In the event of a potential conflict between the trade laws of the United States and the European Union, or any other jurisdiction, you must immediately contact the Global Trade Compliance Team. Do not proceed with any transaction until you receive explicit authorization from the team.

## **Inquiries and Concerns**

We encourage all Elasticians to ask compliance questions and require all of you to report potential violations as follows:

- Discuss the situation with the VP, Business Integrity or Export Control Officer; or
- Report concerns via the Ethics and Compliance Hotline by phone or via the web-reporting tool available at <https://www.elastic.co/about/trust>. You may choose to identify yourself or remain anonymous.

And remember, you have Elastic's unwavering commitment to protect anyone who has in good faith reported a complaint, or who assists in any related investigation, against any reprisal, threats, discrimination, harassment, retribution, or retaliation.

Finally, you always have a right to contact law enforcement or regulatory authorities, and nothing in this Policy limits any Elastician from making a good faith report or complaint to the appropriate authorities.

## Roles & Responsibilities

Role	Responsibility
Global Trade Compliance Team (Export Control Officer and Trade Compliance Manager)	Responsible for all aspects of trade compliance, including providing policy updates, conducting daily activities such as third-party screening, monitoring evolving trade laws and regulations, and classifying/assigning ECCNs for Elastic's products and services.
Chief Legal Officer	Provide oversight and waiver of any provision of this policy.
VP, Business Integrity	Oversee the implementation, administration, and review of this document. Works with the Export Control Officer and Trade Compliance Export Control Manager to continually improve the program and ensure its implementation throughout Elastic.
Elastic Officers, Directors and Employees	Understand the basic elements of laws governing international trade and comply with them at all times, which includes periodic training that all Elasticians involved in international business Transactions are expected to complete.

## Definitions

**Deemed Exports/Re-Export:** Releases of controlled Technology to foreign persons in the U.S. are "deemed" to be an Export to the person's country or countries of nationality. "Deemed" Exports are described in 734.13(b) of the EAR. Similarly, a "deemed Re-Export" occurs when controlled Technology is released to a foreign person outside the U.S., and that person is a national of a country different from the one where the release occurs.

**Export/Re-Export:** Refers to the act of shipping or transmitting any tangible goods, software, or Technology from the United States to a foreign destination. "Re-Export" - refers to the subsequent shipment or transmission of an item subject to U.S. Export controls from one foreign country to another foreign country.

**Sanctioned Countries:** This refers to any Comprehensively Sanctioned Country or region, which is subject to broad restrictions on trade and other transactions with the United States. In these regions, Elastic is prohibited from exporting, re-exporting, or transferring its products and services, or otherwise transacting.

**Sanctioned Person:** Refers to an individual, entity (company, organization, group), or even a vessel or aircraft, that has been designated by a government or international body as being subject to

economic, trade, or financial restrictions. Sanctioned Persons are typically listed on publicly available "sanctions lists" maintained by various authorities.

**Technology:** Non-public source code (technical Data) or information necessary for the "development," "production," "use" or design of Elastic software. It is the specific technical knowledge and know-how required for these activities, not the physical product itself. Technology can be in various forms, both tangible (e.g., written instructions and manuals) and intangible (e.g., oral exchanges, demonstrations, application of personal knowledge) needed to create the software and source code.

**Transaction:** For the purposes of this policy, "Transaction" refers to any activity that could result in the transfer of funds, goods (physical or electronic), controlled items, Technology, or services to a foreign party, or to a proscribed entity or country.

Core Elements of a "Transaction" in Export/Trade Law:

1. Any transfer or shipment of items: This is the most obvious form of a transaction, involving the physical movement of commodities (goods), software, or Technology from the U.S. to a foreign destination. This includes:
  - Commercial sales: The typical buying and selling of products.
  - Gifts or donations: Even if no money changes hands, the transfer of an item is a Transaction.
  - Temporary Exports: Items leaving the U.S. temporarily (e.g., for repair, demonstration) are still considered Exports.
  - Returns: Foreign-origin items being returned to their country of origin from the U.S. are still Exports.
2. Electronic or digital transmission: This type of transaction includes:
  - Sending data, software, or Technology via email, fax, or online platforms.
  - Uploading or downloading controlled items from internet sites.
3. Release or disclosure of Technology or technical data: This type of transaction can occur even if no physical item leaves the U.S. This includes:
  - Verbal disclosures: Discussing controlled Technology with a foreign national, even within the U.S.
  - Visual inspections: Allowing a foreign national to see controlled equipment or facilities.
  - Providing technical assistance or services: This covers training, instruction, design assistance, or any support related to controlled items, whether performed in the U.S. or abroad.
  - Deemed Exports (as defined above)
4. Any activity involving a prohibited party or Sanctioned Countries: Even if the item itself isn't highly controlled, engaging in certain activities with individuals, entities, or countries on various restricted lists (e.g., Specially Designated Nationals (SDN) List, Entity List) or subject to sanctions/embargoes constitutes a prohibited "Transaction" unless specifically authorized by a license. This can include:
  - Financial Transactions (payments, transfers of funds).
  - Provision of any services (consulting, legal, financial, etc.).
  - Collaborations or joint ventures.
  - Travel to certain Sanctioned Countries.

**Unsanctioned Foreign Boycott:** This refers to an international boycott or restrictive trade practice that is not supported or authorized by the government of the United States, the European Union, or any other relevant jurisdiction in which Elastic operates.

## Related Information

Code of Business Conduct and Ethics

Export Compliance Manual (Internal Only)

## Forms

None

## Change History

Date	Summary of Change
September 04, 2025	Updated to include a specific list of sanctioned countries with which business will not be conducted and clarified that these rules must be followed regardless of where in the world Elastic is doing business or someone is doing business on Elastic's behalf. We have also clarified existing language, defined key terms, and updated referenced job titles (e.g., Chief Ethics & Compliance Officer to Business Integrity Officer). The approver for amendments has changed from the Board of Directors to the CLO (with notice to GBIC). Finally, the document has been formatted to the new policy template.