

UNITED STATES OF AMERICA  
before the  
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934  
Release No. 93517 / November 3, 2021

Admin. Proc. File No. 3-20346

In the Matter of  
  
INTERNATIONAL TECHNOLOGY  
ENTERPRISES LTD.

ORDER REGARDING SERVICE

The Securities and Exchange Commission (“Commission”) issued an Order Instituting Proceedings (“OIP”) on May 27, 2021, pursuant to Section 12(j) of the Securities Exchange Act of 1934, against respondent International Technology Enterprises Ltd. (“Respondent”).<sup>1</sup>

The Division of Enforcement has filed three status reports describing the steps it has taken to attempt to serve Respondent with the OIP. The most recent report, filed on October 21, 2021, describes the Division’s attempt to serve Respondent under the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents at the address listed on Respondent’s most recent filing with the Commission.<sup>2</sup> But the Division attached to its report a certificate from the Supreme Court of Belize stating that “the document has not been served.” The report and certificate reflect that when an agent of the Supreme Court of Belize, as the Central Authority for Belize, tried to hand-deliver the OIP at Respondent’s address as listed in its most recent filing with the Commission, the agent concluded that Respondent was not located at that address and that the location housed an unrelated bed and breakfast. The agent also could not locate Respondent in Belize’s business registries.

The Division’s report “asserts that the Supreme Court of Belize’s attempted Hague Convention service upon International Technology constitutes valid service under Rule 141.” In support of this statement, the Division references an administrative law judge’s order regarding service under the Hague Convention on a German respondent, but that order provides no authority or analysis supporting that attempted hand-delivery of a complaint in a country that honors the Hague Convention constitutes effective service. Nor does the Division explain how service can be properly made when the certificate states that “the document has not been served.”

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<sup>1</sup> *Int’l Tech. Enters. Ltd.*, Exchange Act Release No. 91939, 2021 WL 2019954 (May 27, 2021).

<sup>2</sup> *See* Rule of Practice 141(a)(2)(iv)(B), 17 C.F.R. § 201.141(a)(2)(iv)(B) (permitting service on entities in a foreign country by means authorized by the Hague Convention).

On this record, where the Central Authority of the foreign state has certified that the OIP “has not been served,” it is not clear that the OIP has been served in a manner that complies with Rule of Practice 141(a)(2)(iv)(B).<sup>3</sup> The Division should consider whether it may be possible to effect service on Respondent by alternative means.<sup>4</sup>

To assist the Office of the Secretary in maintaining a record of service that establishes that the OIP has been properly served,<sup>5</sup> IT IS ORDERED that by December 1, 2021, and every 28 days thereafter until service is accomplished, the Division of Enforcement shall file a declaration or status report providing additional information regarding its efforts to effect service of the OIP on Respondent, including an explanation of why any service effected is valid under Rule 141(a)(2)(iv).

For the Commission, by the Office of the General Counsel, pursuant to delegated authority.

Vanessa A. Countryman  
Secretary

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<sup>3</sup> See, e.g., *Capturion Network, LLC v. Liantronics, LLC*, No. 19-cv-13-KS-MTP, 2021 WL 1083180, at \*2 (S.D. Miss. Mar. 18, 2021) (concluding that “[i]t seems reasonable . . . to accept the Central Authority . . . assertion concerning [the recipient’s] address as the controlling word on this issue and find that [its] address is unknown,” such that the Hague Convention is not applicable).

<sup>4</sup> See 17 C.F.R. § 201.141(a)(2)(iv)(A), (C)-(D) (providing other means of effecting service on a foreign entity respondent).

<sup>5</sup> See 17 C.F.R. § 201.141(a)(3).