# ROGERS LABS, INC.

4405 West 259th Terrace
Louisburg, KS 66053


February 15, 2001

Office of Engineering and Technology
Federal Communications Commission
Columbia, MD 21046

Timco Engineering Inc.
849 NW State Road 45
Newberry, FL 32669

Applicant: Keith Hollcroft
Coyote DataCom, Inc.
12721 Benson
Overland Park, KS 66213

Re: Confidentiality for submittal information regarding FCC ID number PHO-DR915L

PRODUCT: Low Power ISM Transceiver operating in the 902-928 MHz frequency band

Dear Sirs:

Coyote DataComm, Inc. requests that the material in the Block diagram, Schematics, and Operational Description be withheld from public disclosure in accordance with Section 0.459 of the Commissions Rules, 47 C.F.R. 0.459 (1998), following grant of the application. In support of this request, Coyote DataCom, Inc. submits the following:

**1. Identification of the specific information for which confidential treatment is sought:**

The materials set fourth in the Operational Description, Block Diagram, and Schematics, which are segregated from the non-confidential exhibits of the application, are those for which confidentiality is sought.

**2. Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission:**

The proceeding is that involving the application for equipment authorization (certification) under FCC ID No: **PHO-DR915L**

**3. Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged:**

This material includes a detailed theory of operation and circuit diagrams, (schematic diagrams). As such, this material is treated as highly confidential business information.

4. **Explanation of the degree to which the information concerns a service that is subject to competition:**

The material for which confidentiality is sought is employed in the design and manufacture of Low power ISM transmitting equipment that is offered on a highly competitive basis. Customers for this equipment have a variety of competing sources.

5. **Explanation of how disclosure of the information could result in substantial competitive harm:**

Disclosure would, in effect, give away the fruits of the labors of Coyote DataCom, Inc.'s engineering personnel, who have designed the equipment and the manufacturing process. Disclosure would also offer competitors additional unwarranted insight into the state of the product development, thereby allowing competitors an advantage, not available to Coyote DataCom, Inc..

6. **Identification of any measures taken by the submitting party to prevent unauthorized disclosure:**

The information for which confidential treatment is sought is kept confidential by Coyote DataCom, Inc. and not made available to third parties except pursuant to non-disclosure agreements.

7. **Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties:**

To the knowledge of those preparing this application, the information has not been disclosed publicly heretofore. While the general theory of operation of this equipment has been the subject of numerous disclosures in industry and standards groups as well as in rule making proceedings of the FCC, the protection sought is narrowly drawn and pertains to certain specific implementations of the low power ISM radio technology.

8. **Justification of the period during which the submitting party asserts that the material should not be available for public disclosure:**

This material should not be disclosed for at least 25 years. While improvements in design are made relatively frequently, disclosure of the design information would lead to insights into both design and manufacturing techniques that could have an adverse competitive effect for many years to come. This equipment is designed for commercial, industrial, and governmental applications. As such, unlike most consumer equipment, this equipment will be used for more than a decade in some cases. Moreover, this equipment will be used in revenue collection (e.g. toll collections) and secure access control applications (e.g. volume and pressurized piping facilities). As such, it is important

that the design not be made available to unauthorized persons who might attempt to use knowledge of the design to compromise the applications for which the equipment will be employed.

**9. Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted:**

See item 8 above. Note that the equipment for which approval is being sought will be employed in applications that inherently place a premium on security.

Should you require any further information, please contact the undersigned.
Thank you for your consideration in this matter.

Sincerely,

Scot D Rogers

Scot Rogers