

## CONFIDENTIALITY REQUEST

### Confidentiality Request:

1. Identification of the specific information for which confidential treatment is sought;  
  
A: The contents of the attachment titled "Test Description" are requested to be treated as confidential.
2. Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission;  
  
A. APL JHU is responding to a request by a DoD sponsor for a state-of-the-art system. This request is being made in a competitive environment where other institutions and organizations are competing for the award as well. Technical innovation is a key aspect for award.
3. Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged;  
  
A. The information contained in "Test Description" identifies methods and specific equipment. Reverse engineering of system capabilities and approach is possible with such information. This can cause the loss of a technical advantage by allowing competitors to copy or to counter the approach with the information in an unfair manner.
4. Explanation of the degree to which the information concerns a service that is subject to competition;  
  
A. The information is relevant to a deliverable design that includes hardware, software, testing, and operations.
5. Explanation of how disclosure of the information could result in substantial competitive harm;  
  
A: The content of "Test Description" provides insight into the architecture and technical approaches. This information in the hands of competitors gives them unfair insight into the systems capabilities. Competitors can copy and/or improve upon the design and present as their own.
6. Identification of any measures taken by the submitting party to prevent unauthorized disclosure;  
  
A. Personnel are aware of the impact of unauthorized disclosure and have taken steps to protect the information. Information within JHU APL is being handled as Proprietary and Competition Sensitive.

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7. Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties;
  - A. The information in “Test Description” is not available to the public or third parties not involved with APL’s test activities.
8. Justification of the period during which the submitting party asserts that material should not be available for public disclosure; and
  - A. The three month period requested in the STA covers test events, presentation to DoD sponsor, and award by DoD to the winning team/design. After award the information does not need confidentiality protection.
9. Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.
  - A. The final operating environment for the proposed system would be for the DoD. Confidentiality would assist in keeping key information out of the hands of foreign organizations as well.

Sincerely,

Mr. Eliud Bonilla  
Professional Staff  
Johns Hopkins University - Applied Physics Laboratory  
11100 Johns Hopkins Road  
Laurel, MD 20723