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Federal Communications Commission  
7435 Oakland Mills Road  
Columbia MD 21046

Subject: Request for Confidentiality

Form 442 File Number: 0964-EX-CN-2019

To Whom It May Concern:

Pursuant to the provisions of Sections 0.457 and 0.459 of the Commission's rules (47 CFR §§ 0.457, 0.459), we are requesting the Commission to withhold the following documents and information as confidential document from public disclosure indefinitely. The designated information constitutes confidential and proprietary information that, if subject to public disclosure, would cause significant commercial, economic, and competitive harm.

- **Program of Research/Theory of Operation**
- **Request for Confidentiality Letter**
- **Station Location and Technical Information in FCC Form 442**

The above-referenced Exhibits were submitted to the Commission in support of a Form 442 Application for Experimental Radio Service (ERS).

The information requested to be kept confidential has significant commercial value. The details of the experiments include trade secret and proprietary information. The Commission has recognized that a trade secret is "a secret, commercially valuable plan, formula, process, or device that is used for the making, preparing, compounding, or processing of trade commodities and that can be said to be the end product of either innovation or substantial effort." Our experiments and proprietary wireless applications using particular radio frequency equipment represent a "secret commercially valuable plan" within the meaning of this definition.

The services and technologies that are the subject of this application for ERS authority have not yet been fully developed, but are expected to lead to developments in hotly contested markets with competition from third parties in the United States as well as parties outside of the United States who are exploring comparable services and technology. Compelling innovations in wireless technologies and services are highly sought after and represent significant value our company.

Disclosure of this information to the public would result in significant competitive harm to our company. The technology under development and timeline for the experiment are highly sensitive and confidential information that provide valuable insight into technology innovations and potential business plans and strategies. Such information could be used by competitors to inhibit vendor relationships and ultimately business expansion efforts. Public disclosure will jeopardize the value of the technologically innovative products under examination by enabling others to utilize our testing information to develop similar products in a similar timeframe.



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We have taken steps to keep confidential the information contained in the FCC Form 442 and set forth in the above referenced documents as well as our efforts to prepare this experiment and explore the related product market by limiting the number of people involved in the experiment to only those on a “need to know” basis. Any third parties involved in the experiments will execute nondisclosure agreements. The information and documents which we are requesting to keep confidential, are not available to the public. We expect that confidential treatment is necessary indefinitely to protect our evolving business and technology strategies.

The above mentioned documents contain detailed system and equipment descriptions and are considered as proprietary information in operation of the equipment. The public disclosure of above documents might be harmful to our company and would give competitors an unfair advantage in the market.

We expect a grant of confidential treatment as requested would promote further innovation by our company and would thereby serve the public interest.

Best Regards

A handwritten signature in blue ink that reads "Daniel Wilk".

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Daniel Wilkinson  
General Counsel  
SpotterRF LLC  
November 13, 2019