

Date: September 23, 2015
Subject: Request for Confidentiality
Form 442 File Number: 0551-EX-PL-2015

To Whom It May Concern:

On behalf of our client Headsight, Inc. (“Headsight”) and pursuant to 5 U.S.C. § 552 and Sections 0.457 and 0.459 of the Commission’s Rules, 47 C.F.R. §§ 0.457, 0.459, we hereby request that certain information complementary to the above-referenced application for Experimental Radio Station Authority (“Experimental Application”) be treated as confidential and not subject to public inspection. The designated information constitutes confidential and proprietary information that, if subject to public disclosure, would cause significant commercial, economic, and competitive harm. As described below, Headsight’s request satisfies the standards for grant of such requests set forth in Sections 0.457 and 0.459 of the Commission’s Rules.

In accordance with Section 0.459(b) and in support of this request, Headsight provides the following information:

1. Identification of the Information for Which Confidential Treatment Is Sought:

Headsight’s request for confidential treatment is limited to the preliminary datasheet for the Headsight impulse radar transceiver system.

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

The above-referenced document was submitted on September 23, 2015 to the Commission in support of the Experimental Application.

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

The information requested to be kept confidential has significant commercial value and includes confidential business information provided to Headsight by the GPR transceiver manufacturer. Headsight does not have the manufacturer’s permission to publicly disseminate this information.

4. Explanation of the degree to which the information concerns a service that is competitive.

The services and technologies that are the subject of this Experimental Application have not yet been fully developed, but are expected to be competitive with existing services that use older technology to serve a similar purpose.

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

The technology under development is sensitive and confidential in nature. The release of such information would provide valuable insight into Headsight’s technology innovations and potential business plans and strategies.

6. Identification of any measures taken by the requesting party to prevent unauthorized disclosure.

Headsight has taken steps to keep confidential the information set forth in the confidential exhibit by limiting the number of people involved in the development of the technology.

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

The document which we seek confidential treatment is not available to the public, and has only been disclosed to limited third parties involved in the preparation of the Experimental Application. Headsight voluntarily provides the information to the Commission at this time with the expectation that it will be treated confidentially in accordance with the Commission's rules.

8. Justification of the requested period of confidentiality

Headsight expects that confidential treatment will be necessary for the length of the proposed experiment and thereafter in order to protect Headsight's evolving business and technology strategies.

9. Any other information that would be useful in assessing whether this request should be submitted.

The information subject to this request for confidentiality should not be made available for public disclosure at any time. There is nothing material that public review of this information would add to the Commission's analysis of Headsight's request for an experimental authorization. Experimental license grants are not subject to Public Notice requirements set forth in the Communications Act.

Consistent with 47 C.F.R. § 0.459(d)(1), Headsight requests notification if release of the information subject to this request is requested pursuant to the FOIA or otherwise, so that Headsight may have an opportunity to oppose grant of any such request.

Sincerely yours,

Jay S. Newman
Outside Counsel for Headsight, Inc.