

EXHIBIT 2

IRONWAVE TECHNOLOGIES LLC

Request for Confidential Treatment

Ironwave Technologies LLC (Ironwave), pursuant to sections 0.457 and 0.459 of the Commission's rules,¹ asks the Commission to withhold from public inspection and afford confidential treatment to Exhibit 1 provided in support of its FCC Form 422 (Application for New or Modified Experimental Radio Station Authorization). Exhibit 1, which includes a description of Ironwave's proposed experiment, is marked as "CONFIDENTIAL SUBJECT TO REQUEST FOR CONFIDENTIAL TREATMENT UNDER 47 C.F.R. §§ 0.457 AND 0.459 NOT AVAILABLE FOR PUBLIC INSPECTION." Exhibit 1 contains commercial information that falls within Exemption 4 of the Freedom of Information Act² and that would not customarily be released to the public.³ Ironwave customarily treats the information in Exhibit 1 as private and provides it to the Commission under an assurance of confidentiality.

In support of this request, Ironwave hereby states as follows:

1. Identification of Specific Information for Which Confidential Treatment Is Sought⁴

Ironwave seeks confidential treatment of Exhibit 1 which includes a detailed description of its proposed experiment. Exhibit 1 provides information regarding a product that Ironwave is developing, including how the prototype works and the technical aspects of the prototype that will be monitored to achieve performance objectives.

2. Description of the Circumstances Giving Rise to the Submission⁵

Exhibit 1 is provided in support of Ironwave's application for a new experimental radio station license.

3. Explanation of the Degree to Which the Information Is Commercial or Financial, or Contains a Trade Secret or Is Privileged⁶

Exhibit 1 reveals Ironwave's proprietary information regarding a product under development, including the product's technical characteristics and performance objectives. This information is confidential commercial information because it reveals non-public information

¹ 47 C.F.R. §§ 0.457, 0.459.

² 5 U.S.C. § 552(b)(4).

³ See *Food Mktg. Inst. v. Argus Leader Media*, 139 S. Ct. 2356, 2366 (2019) ("At least where commercial or financial information is both customarily and actually treated as private by its owner and provided to the government under an assurance of privacy, the information is 'confidential' within the meaning of Exemption 4.").

⁴ 47 C.F.R. § 0.459(b)(1).

⁵ *Id.* § 0.459(b)(2).

⁶ *Id.* § 0.459(b)(3).

about Ironwave's business plans. Ironwave limits access to that information only to Ironwave employees that require access to the material to perform relevant professional obligations.

4. Explanation of the Degree to Which the Information Concerns a Service That Is Subject to Competition⁷

Exhibit 1 concerns Ironwave's plans to develop a product that uses radio frequency signals to estimate the geolocation of projectiles. Ironwave is one of numerous companies that offers products to estimate geolocation. Therefore, information about Ironwave's plans for a new product concerns a business that is highly competitive. Ironwave seeks to remain competitive in the market for geolocation solutions by retaining confidentiality over the information provided to the Commission.

5. Explanation of How Disclosure of the Information Could Result in Substantial Competitive Harm⁸

Disclosure of Exhibit 1 would cause great competitive harm by allowing Ironwave's competitors unfair access to its product development plans, including a product's technical characteristics and performance objectives. As explained above, because the geolocation solutions market is highly competitive, disclosing any information about Ironwave's business plans would grant competitors an unfair competitive edge over Ironwave, especially given that Ironwave does not possess similar information over its competitors and other market participants.

6. Identification of Any Measures Taken by the Submitting Party to Prevent Unauthorized Disclosure⁹

Ironwave does not distribute or otherwise publish any of the material contained in Exhibit 1 to the public, competitors, or customers. Ironwave customarily marks these materials as confidential to provide notice of their privileged nature to any authorized recipient.

7. Identification of Whether the Information Is Available to the Public and the Extent of Any Previous Disclosure of the Information to Third Parties¹⁰

The information in Exhibit 1 shall remain unavailable to the public and any unauthorized parties. Ironwave has not previously disclosed the information in Exhibit 1 to the public or other third parties, nor does it plan to do so in the future.

⁷ *Id.* § 0.459(b)(4).

⁸ 47 C.F.R. § 0.459(b)(5).

⁹ *Id.* § 0.459(b)(6).

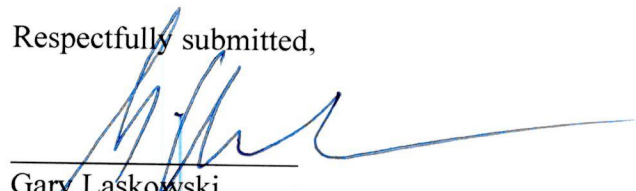
¹⁰ *Id.* § 0.459(b)(7).

8. Justification of the Period During Which the Submitting Party Asserts That Material Should Not Be Available for Public Disclosure¹¹

Ironwave requests that Exhibit 1 remain unavailable for public inspection indefinitely, as publication would grant Ironwave's competitors insight into its business plans.

For the forgoing reasons, Ironwave asks that the Commission withhold Exhibit 1 from public inspection, and that the Commission treat that information as confidential indefinitely. Please contact the undersigned should you have any questions.

Respectfully submitted,



Gary Laskowski
Manager
Ironwave Technologies LLC

¹¹ *Id.* § 0.459(b)(8).