



University of Dayton
Research Institute

March 4, 2019

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Request for Non-Disclosure of Exhibit 1 Submitted under STA File No. 0337-EX-ST-2019, EL856800

Dear Commissioners:

The University of Dayton Research Institute ("UDRI"), the applicant, requests under FCC rule 47 CFR § 0.457 and 0.459 that the FCC withhold from public inspection, and maintain the confidentiality of, Exhibit 1 ONLY which is submitted with the application for Special Temporary Authority under STA File Number No. 0337-EX-ST-2019, EL856800, previously granted under call sign WM9XHC

The applicant is not seeking confidentiality for the form itself. This confidentiality request is for Exhibit 1, and does not cover this confidentiality request itself.

Specifically:

- (1) Identification of the specific information for which confidential treatment is sought. **UDRI seeks confidential treatment of the information contained in Exhibit 1, attached to the application. Exhibit 1 contains specific information regarding the design of the system, specifically how it is configured and how the frequency is used, which UDRI and Lion Group, Inc. seek to keep confidential.**
- (2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission. **STA File Number 0337-EX-ST-2019**
- (3) Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged. **Specific information regarding the design of the system, specifically how it is configured and how the frequency is used, is commercial information that is also a protected trade secret.**
- (4) Explanation of the degree to which the information concerns a service that is subject to competition. **The frequency range being used is not subject to auction or other competitive allocation. When commercialized, the technology will operate under Part 90 of the Commission's rules.**
- (5) Explanation of how disclosure of the information could result in substantial competitive harm. **The system for which experimental licensing is being sought is a**

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first-of-its-kind first responder tracking system. There is no other system on the market that provides the same service or has the same design. Therefore, substantial competitive harm could result in potential competitors obtaining detailed information about how the system is designed and how it will be used prior to the commercial marketing of the system.

(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure. UDRI and Lion Group, Inc. have taken all practical measures to protect the trade secrets from disclosure to third parties. Patents have been filed for regarding the specific design of the system. In addition, UDRI and Lion Group, Inc. have executed a mutual confidentiality agreement as well as other confidentiality agreements with subcontractors and suppliers. The parties also have confidentiality policies and confidentiality and non-disclosure agreements with their employees, to which the information submitted is subject.

(7) Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties. The specific information regarding how the system is configured and how the frequency is used has been kept confidential. The technology is unknown to other firms in the first responder products industry.

(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure. Lion Group, Inc. and the University of Dayton Research Institute request that the FCC maintain confidentiality of Exhibit 1 unless and until an application for equipment authorization is filed with the FCC and any protected confidential information in that application is no longer confidential.

(9) Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted. As detailed above, UDRI and Lion Group, Inc. have taken steps to protect the confidentiality of the information contained in Exhibit 1 for the purpose of preserving the commercial advantages of this technology over potential competitors.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven Schafer'.

Steven Schafer
Senior System Engineer
University of Dayton Research Institute

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