

## **Request for Confidential Treatment of Exhibits to Mark IV Application for Equipment Authorization – EA226013**

Mark IV Industries, Ltd. ("Mark IV") requests that, pursuant to Sections 0.457 and 0.459 of the Commission's Rules, certain Exhibits to its application for equipment authorization, EA 226013, be treated as confidential because these Exhibits contain proprietary and confidential technical information about Mark IV's products which would customarily be guarded from competitors.

Pursuant to Section 0.459(b) of the Commission's Rules, Mark IV provides the following information in support of its request for confidential treatment:

- (1) Mark IV requests confidential treatment of the following Exhibits to, which are marked as confidential:
  - "Schematics"
  - "Parts List"
  - "Operational Description"
- (2) These Exhibits are submitted to the Commission in support of Mark IV's application for equipment authorization and provide the additional detail needed for the Commission's staff to properly evaluate the equipment;
- (3) These Exhibits contains highly confidential and proprietary technical information about the equipment design and operating characteristics;
- (4) Mark IV competes with a number of companies that are developing and marketing similar transponders for ITVS applications, including tolling operations.
- (5) Disclosure of such information to competitors could compromise Mark IV's ability to develop this technology, in that other companies could reverse engineer products using this information;
- (6) Mark IV has marked these Exhibits as confidential. Mark IV is careful in protecting proprietary aspects of its equipment design, including the use of confidentiality agreements with technical consultants;
- (7) Technical information contained in the Exhibits has not been disclosed to the public, nor disclosed to third-parties (not including counsel, independent laboratories, or consultants bound by confidentiality agreements or otherwise);

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- (8) Mark IV requests that this information be withheld from public disclosure until an unless Mark IV notifies the commission that such information may be publicly released.
- (9) Confidential treatment of these Exhibits will allow Mark IV to provide a full technical description of the equipment, which disclosure is in the public interest. Refusal to treat such documents as confidential would result in submission of insufficient information on which the FCC could base its decision to grant the authorization and delay deployment of these new and improved devices for IVDS applications.

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