



INDUSTRIES CORP

6030 AMBLER DRIVE, MISSISSAUGA, ONTARIO L4W 2P1

Request for Confidential Treatment of Exhibits to Application for Equipment Authorization for T600 Tag Tester JQU801235

On behalf of Mark IV Industries Corp ("Mark IV"), we request confidential treatment for the following exhibits filed with Mark IV's application for equipment authorization for the T600 Tag Tester, FCC ID JQU801235.

Mark IV requests that the following be treated as confidential and withheld from public inspection in accordance with Section 0.457(d) (trade secrets) of the Commission's Rules. 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 for confidential treatment for the operational description, schematic diagrams, parts list, block diagrams and internal photographs submitted in exhibits to its application for equipment authorization for the T600 Tag Tester, JQU801235, being filed concurrently. These exhibits are listed as follows:

Exhibit Description

T600 TAG TESTER – OPERATION DESCRIPTION

T600 TAG TESTER – SCHEMATICS and PARTS LIST

T600 TAG TESTER – BLOCK DIAGRAMS

T600 TAG TESTER – INTERNAL PHOTOGRAPHS

- (2) These exhibits were submitted to the commission in support of Mark IV's application for equipment authorization and provide the additional detail needed for the Agency's staff to properly evaluate the equipment.
- (3) These exhibits contain 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 ITS 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) Disclosure would cause Mark IV to relinquish valuable proprietary information about the technologies it has developed and its manufacturing processes. Disclosure would also offer competitors additional unwarranted insight into the state of Mark IV's product development thereby allowing competitors and unfair advantage that would otherwise be unavailable to Mark IV.
- (7) Mark IV is careful in protecting proprietary aspects of its equipment design and processes. The information for which confidential treatment is sought has been kept confidential from public disclosure by Mark IV and has not been made available to third parties except pursuant to non-disclosure agreements. Mark IV's practice to file a request for confidentiality at the time it submits an application for equipment authorization is intended to provide information relevant to the FCC Processing of its application without public disclosure of proprietary information.
- (8) Mark IV requests that this information be withheld from public disclosure until and unless Mark IV notifies the Agency that such information may be publicly released. This equipment is designed for commercial, industrial, and governmental transportation applications and is expected to be used for more than a decade in some cases. Moreover, this equipment will be used in revenue collection (i.e. toll collections) where it is important that its design and operational details not be made available to unauthorized persons who might attempt to use knowledge of such details to compromise the applications for which the equipment will be employed.
- (9) Confidential treatment of exhibits, such as these, allows 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 authorizations and delay deployment of these new and improved devices for ITS applications.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Turnock', with a long horizontal flourish extending to the right.

Richard Turnock
VP Engineering, Mark IV Industries Corp
January 23, 2009