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Request for Confidential Treatment

FCC ID No.: NUF-PLUS-0908

Time Domain Corporation (TDC) requests that the detailed physical block diagram along with all schematics and internal photos, be withheld from public disclosure in accordance with Section 0.459 of the Commission's Rules, 47 C.F.R. § 0.459 (2000), following grant of the application. In support of this request, TDC submits the following:

(1) Identification of the specific information for which confidential treatment is sought:

The physical block diagram, schematics, and the internal photos which were segregated from the non-confidential exhibits of the application, are those for which confidentiality is sought.

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

The proceeding is that involving the application for equipment authorization (certification) under FCC ID No.: NUF-PLUS-0908.

(3) Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged:

This material includes circuit diagrams and board layout information for the Digital boards. As such, this material is treated as highly confidential business information.

(4) Explanation of the degree to which the information concerns a service that is subject to competition:

The material for which confidentiality is sought is employed in the design and manufacture of ultra-wideband communications and radar systems that is offered on a highly competitive basis. Customers for this equipment have a variety of competing sources of supply.

(5) Explanation of how disclosure of the information could result in substantial competitive harm:

Disclosure would, in effect, give away the fruits of the labors of eighty engineering personnel, who have designed the equipment and the manufacturing processes. Disclosure would also offer competitors additional unwarranted insight into the state of product development thereby allowing such competitors an advantage that would not be available to unless they were working with TDC and had a non-disclosure agreement with TDC.

(6) Identification of any measures taking by the submitting party to prevent unauthorized disclosure:

The information for which confidential treatment is sought is kept confidential by TDC and not made available to third parties except pursuant to non-disclosure agreements.

(7) Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties:

To the knowledge of those preparing this application, the information has not been disclosed publicly heretofore. The protection sought is narrowly drawn and pertains to certain specific implementations of ultra-wideband technology.

(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure:

This material should not be disclosed for at least five years. While improvements in design are made relatively frequently, disclosure of the design information would lead to insights into both designs and manufacturing techniques and could have an adverse competitive effect for many years to come. This equipment is designed for commercial, industrial, and governmental military research and development applications. As such, unlike most consumer equipment, it is expected to be used for more than five years in some cases. Moreover, this equipment may be used in some unclassified government research. As such, it is important that its design not be made available to unauthorized persons who might attempt to use knowledge of the design to compromise the applications for which the equipment will be employed.

September 5, 2008

Page 3

(9) Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted:

See item 8 above. Note that the equipment for which approval is being sought will be employed in applications that inherently carry a premium on security.

Respectfully: *submitted electronically*

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