

From: Tim Harrington [mailto:Tim.Harrington@fcc.gov]
Sent: 12/14/2006 8:48 AM
To: Dward ATCB; William Graff
Cc: Tim Harrington; Raymond Laforge; Joe Dichoso; Rashmi Doshi
Subject: RE: O9EQ2438F-M

Hello ATCB, All

We have reviewed your request for clarification regarding this grant and the next steps for your client Visionics specifically regarding the original grant and subsequent permissive changes. We recognize that there is some confusion about the applicability of the modular device policies, which are specifically only applicable to Part 15 devices, and "module like" approvals sought for non-Part 15 devices. The "do not grant chip" long-time directive applicable for part 15 intentional radiator transmission systems should not directly apply for module-like devices operating in licensed-radio-services and which will be used only in mobile or fixed but not portable RF exposure conditions. In other words, licensed-service "module-like" device grants still must preclude use for example in held-to-ear or body-worn phone handsets, unless separate FCC equipment authorization is obtained for those other specific final product configurations if any.

Given above, the specific responses to the two questions in original email are as follows:

- 1) The 10/26/06 Class II permissive change to register a specific final-product collocation appears to be appropriate, i.e., per KDB pub. no. 447498. We note some issues with the application to be addressed, e.g., grant frequency listing and details about final product, which are administrative and need to be fixed.
- 2) Whether Class II pending with ATCB is valid depends upon specific details, e.g., collocation or other variations from conditions of original grant, and in terms of above clarifications. If your client decides to pursue filing for a Class II permissive change application, we remind you make sure that you review the grant conditions attached to the original filing and the appropriate details of the changes in the new applications are provided. This should include appropriate details of the changes, photographs of the units, user manual changes, etc.

Please let me know if other comments or questions.

Best Regards
Tim Harrington
FCC/OET/Lab/EAB