



## Letter of Confidentiality

February 1, 2006

Federal Communications Commission  
7435 Oakland Mills Road  
Columbia, MD 21046

To Whom It May Concern:

This letter is to comply with Sections 0.457 & 0.459 pertaining to confidential material. Novariant, Inc. would like the following documents supplied in support of Part 90 submission for FCC ID: TMN-TX100 to be kept confidential.

1. Schematics
2. Block Diagram
3. Pictures of PCB layouts
4. Novariant TX100 Transmitter Operational Description
5. Novariant TX100 Transmitter Control Circuitry Description
6. Novariant TX100 Transmitter Tune-Up Procedure
7. Novariant TX100 Transmitter Digital Modulation System

Novariant is requesting a 2 year confidentiality on items typically not held confidential, such as line items 3, 4, 5, 6 & 7. Novariant's Terralite<sup>TM</sup> XPS technology (of which the TX100 transmitter is a key element) for providing positioning data in areas with limited visibility of the sky (and thus satellites) is cutting edge and required years of R&D effort to make it operational. There are a number of innovations in signal structuring & routing, control circuitry and board layouts which make the design functional, robust and compliant with applicable FCC regulations. Novariant has been successful with providing GPS solutions for the agricultural market, however this is the first product offering for the mining industry. As such, Novariant is in a unique position of being the only provider of such equipment, primarily due to a high technical barrier to entry. From a business point of view, we would like to protect our R&D investment and keep confidential for 2 years some of the key technical solutions used to solve the problem, so as to allow us to establish a foothold and a reputation in this new mining market.

Novariant has already filed for patent protection on some of the key ideas. All of Novariant's equipment is manufactured under strict Non Disclosure Agreements (PCBs) and the final assembly occurs on Novariant premises. The hardware is bolted together with tamper resistant fasteners and has tamperproof labels (in some cases 2, inner and outer), which void the 1 year



NOVARIANT<sup>TM</sup>

warranty if damaged. Lastly, there are no field-serviceable components – if equipment is determined to be in-operational, the service procedure calls for replacement of the entire unit with a spare, and return of the questionable hardware to the factory.

Specifically, Novariant is requesting 2 year confidentiality on the items listed below:

Item 3 – Pictures of PCB layouts – the pictures contain signal routing solutions which minimize line to line cross-talk, assure signal timing and visually show filter solutions.

Item 4 - Transmitter Operational Description – is a verbal description of the block diagram. FCC readily grants confidentiality requests on block diagrams, thus a similar line of reasoning is being used to make the verbal description of the block diagram confidential as well.

Item 5 - Transmitter Control Circuitry Description – is a verbal description of signal control. As shown by the test report, Novariant has accomplished incredibly high frequency stability, required for our positioning algorithm. Using same line of argument as above, if schematic circuitry is customarily held confidential, we request the verbal description of that particular circuitry be held confidential as well.

Item 6 - Transmitter Tune-Up Procedure – this is a description of a factory tune-up procedure (the units are not field or customer tunable). Although light in detail, it provides information which could be used for reverse engineering some of the design details, and thus we ask for confidentiality on this item.

Item 7 - Transmitter Digital Modulation System – considered the essence of Novariant's transmitter system. The submission contains both a block diagram and a verbal description, thus we request confidentiality on this item.

In summary, the above materials contains trade secrets and technical data, which would customarily be guarded from competitors. Public disclosure of the above items may lead to compromising Novariant's competitive position as we're introducing unique and innovative technology to a brand new market. We request that the availability of the discussed materials to the general public be limited for a minimum period of 2 years.

Sincerely,

Andrzej Skoskiewicz  
Project Manager