

# MARKIV INDUSTRIES CORP

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January 18, 2007

**Request for Confidential Treatment –  
Application for Equipment Authorization for FME-G3 Transponder  
FCC ID JQU801800**

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 FME-G3 Transponder, FCC ID JQU801800.

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 confidential treatment for the operational description, schematic diagrams, parts list, voltage/currants, tune-up procedure and block diagram information submitted in exhibits to its application for equipment authorization for its FME-G3 Transponder, FCC ID JQU801800 being filed concurrently. These exhibits are listed as follows:

**Exhibit Description**

FME-G3 TRANSPONDER TECHNICAL DESCRIPTION/....Voltage/Currents and Tune-up Procedure Confidential Supplement.

FME-G3 TRANSPONDER SCHEMATICS AND PARTS LIST Confidential Supplement.

FME-G3 TRANSPONDER INTERNAL PHOTOGRAPHS – Marked Confidential Proprietary.

FME-G3 TRANSPONDER – GENERAL OPERATION DESCRIPTION – Marked Confidential.

Note: The FME-G3 Transponder is a permanently sealed device so that end users cannot open or otherwise access the components shown in the photos covered under this confidentiality request.

- (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 Commission's staff to properly evaluate the equipment;

ISO 9001:2000 - CERTIFICATE #002002

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**MARK IV INDUSTRIES - IVHS DIVISION**

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- (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 relinquish valuable proprietary information about the technologies Mark IV 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 an 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 is been kept confidential from public disclosure by Mark IV and has not been made available to third parties except pursuant to non disclosure agreements. It is also Mark IV's practice to file a request for confidentiality at the time it submits an application for equipment authorization.
- (8) Mark IV requests that this information be withheld from public disclosure until and unless Mark IV notifies the Commission 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 operations 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,



Haijo Gabert  
Director, Systems & Projects Engineering