NEUROPACE

February 1, 2012

Federal Communications Commission
7435 Oakland Mills Road
Columbia, MD 21046

Subject: Request For Confidentiality for FCC ID: WBWRF300

To Whom It May Concern:

NeuroPace, Inc. ("NeuroPace") requests that the information contained in the items enumerated below pertaining to the above-referenced application be withheld from public disclosure in accordance with FCC 47 CRF Section 0.457(d) and 0.459 following grant of the application. In support of this request, NeuroPace submits the following:

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

Type of Confidentiality Requested		Exhibit
☐ Short Term	☒ Permanent	Block Diagrams
☐ Short Term	☒ Permanent	Internal Photos
☐ Short Term	☒ Permanent	Operation Description/Theory of Operation
☐ Short Term	☐ Permanent	Tune-Up Procedure
☐ Short Term	☒ Permanent	Schematics
☐ Short Term	☒ Permanent	User's Manual

The materials set forth in these exhibits, which are segregated from the nonconfidential 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: WBWRF300.

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

FCC granted permission to keep internal photos and User Manual long term confidential on the related device (Wand W-02, FCC ID WBW902) through previously authorized

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inquiry, Tracking Number 352454. NeuroPace requests the same permission for the RNS-300M.

This information is embodied in circuit diagrams, detailed explanations, a block diagram, internal photographs, and a User's Manual of a physician prescribed sterile, sealed device designed for implantation in humans. As such, this material is treated as highly confidential business information and information that could convey trade secrets pertaining to manufacturing and design techniques.

Internal photos should be held confidential since the device is sealed and implanted in the body and, consequently, disassembly would destroy the product. Please see RNS-300M Device Sealed document for photos and details. Furthermore, the information listed above should be kept confidential because the device is physician prescribed so is not readily available to the general public. The User Manual is highly technical and is only available to the physician. Finally, the device is only serviceable by NeuroPace and not by the consumer.

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

The information for which confidentiality is sought is employed in the design and manufacture of medical devices that are offered on a highly competitive basis. Customers for this equipment have a variety of competing sources of supply from both domestic and foreign suppliers.

(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 NeuroPace's 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 NeuroPace.

(6) **identification of any measures taken by the submitting party to prevent unauthorized disclosure**:

The information for which confidential treatment is sought is kept confidential by NeuroPace and not made available to third parties except pursuant to arrangements designed to prevent public disclosure. In addition, the device is sealed and implanted in the human body so disassembly would destroy the product.

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(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 Equipment and pertains to certain specific implementations of the technology incorporated into the device for which certification is sought. Furthermore, the device is physician prescribed and as such, information such as the user's manual is not made available to the general public.

(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 ten years. While improvements in design are likely to be made during this period, 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 application contains information that will be used in future applications for similar devices. Moreover, the communications aspects of this device are employed in the programming of a medical implant device and in the transmission of highly private medical information to and from the device. Disclosure of the information for which confidentiality is sought could jeopardize the protection of such personal private medical information generated for the benefit of patients into whom the device has been implanted. As such, it is important that information pertaining to the design and operation of this device 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.

(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.

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Sincerely,

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