Administrative Clarifications / Issues

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Prevalent Administrative Issues

- Grantee Code Information Review
- Supersede Requests
- Dismissal Requests
- Grant Modification Requests
- Confidentiality
- Miscellaneous
Grantee Code Information Review

- When submitting a Form 731 – review all pre-filled Grantee Code information for correctness and completeness
  - Applicant Name and Address
  - Applicant FRN
  - Contact Name & Title, E-mail, Phone, Fax

- Contact applicant if in error

- Changes should be made on EAS Web site – Modify Grantee Information
Supersede Refresher

- TCB can supersede attachments only prior to grant (Incomplete status)

- Greater than two exhibit types requires dismissal

- Send e-mail to easadmin@fcc.gov and include:
  - Justification for supersede
  - TC# in the e-mail only (not required in cover letter)
  - If request is for a composite application, include the TC# for all composite applications and specify change (or no change) to each
Supersede Process

- E-mail to easadmin@fcc.gov with justification
- Upload replacement exhibit(s) when instructed by FCC
  - Multiple attachments are accepted within one exhibit type
- Upload a letter of explanation into the Cover Letter(s) exhibit type
- Inform easadmin@fcc.gov of completion of uploads
- Request is completed by the FCC sending an e-mail that becomes part of the correspondence history for purposes of accreditation
Request for Dismissal

- Reasons for Dismissal
  - Supersede request for greater than two exhibit types
  - Incorrect Grant (i.e. Grantee Code wrong)
  - Applicant request

- Justification required and must include specific details explaining the reason(s) for the request

- Dismissal request must include statement that equipment has not (and will not) be marketed
  - Above applies whether request is less than or greater than 30 days from Grant

- Dismissals are not viewable on the Web
Supersede Justifications

- Editorial Changes only are acceptable
  - Specific named typographical errors
  - Incorrect label drawings
  - Incorrect references to a third party in an attachment
  - User’s manual updates

- Unacceptable Justifications
  - Model number changes that are not typographical errors
  - Changes affecting the operation of the equipment (power, frequency, software, etc.) – an additional filing for new equipment or permissive change is required
  - A “typographical error” that is included in both the application and in the attachment (thus affecting the operation as noted directly above)
Confidentiality

- Ensure applicant is clearly informed of the requirements for Confidentiality (both Permanent and STC)

- Any exhibit not marked Confidential or STC (or superseded) is publicly available at the time of Grant. *Ensure that non-confidential exhibits do not contain confidential information*

- Ensure all Confidential exhibits are appropriately marked – Permanent or STC
  - Mark at time of upload and review prior to issuance of Grant
  - Must be in accordance with Grantee request in Cover Letter(s) exhibit

- Review Cover Letter submission for appropriate justification

- Cover Letter(s) exhibit should contain a specific STC request including the release date and the exhibits to be held STC
  - Note: Uploading the request letter is not the same as “marking” the appropriate exhibit Confidential
Confidentiality Review

- Always held confidential –
  - Software Defined Radio (SDR) / Cognitive radio – attachments in SDR Software/Security Info exhibit type
  - Scanning receiver information included in exhibit attachments listed below as “commonly held confidential” and internal photos, in accordance with 0.457(d)(ii)

- Commonly held confidential (upon justification and request) – schematics, block diagrams, operational descriptions, parts lists, tune-up procedures

- Note: The ID Label/Location Info exhibit type is always required for an original Grant and never held confidential
Exhibits Not Granted Permanent Confidentiality

- Not held permanently confidential – test reports, RF exposure test reports, external photos, FCC ID labels, attestation statements, cover letters, test setup photos, correspondence. Generally, neither internal photos nor user’s manuals.

- Block diagrams of PCs, PC peripherals and other unintentional radiators - detail not required by Rules, therefore not held confidential
Confidentiality Review – Special Circumstances

- Special circumstances – requires consultation with the FCC thru a KDB Permit But Ask (PBA)
  - Internal photos – epoxied or otherwise sealed circuit board, sealed device, non-consumer device serviceable only by the grantee or designated tech (non-disclosure agreement may be required)
  - User’s manual
    - Technical and used as a service manual only by qualified technicians (non-disclosure agreement may be required)
    - Manuals for OEM use only that include proprietary information
Third Party Confidentiality

- Applicant or agent not authorized to view proprietary information for certain portions of a device integral to their product, but a “trade secret” of another company (third party)

- TCB approved devices - third party shall submit information to the TCB; TCB files information on behalf of the third party, with agreement regarding confidentiality of information
Short Term Confidentiality

- May be applied to all Exhibits eligible for Permanent Confidentiality
  - Schematics, Block Diagrams, Operational Description, Parts Lists, Tune-up Procedures
    - Only one type of confidentiality can be applied per attachment exhibit (i.e. Confidential or Short-Term Confidential)

- Additional Exhibits (Short Term Confidential only)
  - Internal Photos
  - User’s Manual
  - External Photos
  - Test Set-up Photos
Short Term Confidentiality (continued)

- Granted for a specific date – pre-fills on TC731 at 45 days from date of filing / Grant

- May be extended up to 180 days at Short Term Confidential Maintenance Option on TCB Web Site

- Automatically released to the public at expiration date

- **Release** information to the public *immediately* when marketing begins
Confidentiality Request Process

- Form 731 – check “Yes” box for Confidentiality Requested

- At “Add Attachments” check all exhibits for which confidentiality is requested
  - Check only one type—Confidential or Short Term Confidential

- Upload justification letter (Cover Letter(s) exhibit)
  - Letter dated / signed with FCC ID list of exhibits to be held Confidential or Short Term Confidential
    - Include the exhibit type and the exhibit description in the letter
  - Justification
    - Reference and comply with Rule Parts 0.457 and 0.459
    - State reason for request (proprietary, trade secret, etc.)
Post-Grant Confidentiality

- Most critical element of the Form 731 - Confirm with the applicant the need to mark information confidential before Grant!!!

- Request made for Post-Grant Confidentiality within 30 days – standard procedure for corrections (TCB responsibility)

- Request made for Post-Grant Confidentiality 30 days or more after grant (FCC must approve)
  - Request “audit” mode through easadmin@fcc.gov with justification, TC#(s), and FCC ID (FCC will inform when placed into “audit”)

- Upload letter request into Cover Letters exhibit
  - Justification letter for confidentiality if not already in application
  - Identify exhibit(s) to be held confidential
  - Written / dated request with FCC ID
  - Include justification for correction
    - Include documentation of the applicant’s awareness that information has been publicly available (including dates publicly available)
Questions ???

Thank You!