

Short-Term Confidentiality Policy

The short-term confidentiality policy is intended to provide applicants the ability to get an equipment approval and get a product to market while ensuring that business sensitive information remains confidential until the actual marketing of the device. When marketing begins, the information must be released for viewing on the FCC website.

Process for FCC filed applications:

1. During the completion of the Form 731 the applicant checks a box in the confidentiality section indicating that they wish to request confidentiality. The Form 731 box should be checked if either standard and/or short-term confidentiality are requested.
2. When submitting the supporting exhibits there is a checkbox on the “add attachments” web link for short-term confidentiality. For each attachment that short-term confidentiality is requested, the checkbox should be checked. The checkbox may not be checked for: Attestation Statements, Cover letters, FCCID labels, test reports, and RF Exposure Info. The “add attachments” web page will also continue to have the checkbox for standard confidentiality which holds information confidential permanently. If standard confidentiality is selected then short term short-term confidentiality should not be selected.
3. If short-term confidentiality is selected then the confidentiality fee is required. If both short-term and standard confidentiality are requested in the same application only one confidentiality fee is required. If the device is a composite device, the confidentiality fee only needs to be paid for one portion of the composite application. If the application is for a permissive change, the confidentiality fee should only be submitted if confidential information is submitted.
4. As with standard confidentiality requests, a justification of the request must be submitted in the application. The justification should: (a) reference the specific sections of 47 CFR 0.457 and 0.459 which allow the information to be held, (b) list specifically the attachments to be held, and (c) addresses why the information would be a problem if released at the time of grant.
5. Clicking the short-term confidentiality checkbox will hold information confidential for 45 days from the day of grant. A limited number of 45 day extensions will be granted on a case by case basis. Extensions requests must be submitted in writing (emails are acceptable) to the FCC Lab. After 45 days from the day of grant, if no extension has been allowed, the checked attachments will automatically appear on the FCC website.
6. When the FCC issues the grant a letter approving the short-term confidentiality will also be issued.
7. As soon as the marketing of the device begins the justification for short-term confidentiality no longer applies and the information held confidential must be released to the public. This should be done by immediately notifying the FCC.

Process for TCB filed applications:

1. During the completion of the Form 731 the TCB checks a box in the confidentiality section indicating that they wish to request confidentiality. The Form 731 box should be checked if either standard and/or short-term confidentiality are requested.
2. When submitting the supporting exhibits there is a checkbox on the “add attachments” web link for short-term confidentiality. For each attachment that short-term confidentiality is requested, the checkbox should be checked. The checkbox may not be checked for: Attestation Statements, Cover letters, FCCID labels, test reports, and RF Exposure Info. The “add attachments” web page will also continue to have the checkbox for standard confidentiality which holds information confidential permanently. If standard confidentiality is selected then short-term confidentiality can not be selected.
3. For TCB filed applications the FCC does not charge a confidentiality fee.
4. As with standard confidentiality requests, a justification of the request must be submitted in the application. The justification should: (a) reference the specific sections of 47 CFR 0.457 and 0.459 which allow the information to be held, (b) list specifically the attachments to be held, and (c) addresses why the information would be a problem if released at the time of grant.
5. Clicking the short-term confidentiality checkbox will hold information confidential for 45 days from the day of grant. A limited number of 45 day extensions will be granted. Requests for extensions should be made to the TCB. The TCB may then log in to the TCB website and click on link to extend the short-term confidentiality. After 45 days from the day of grant, or the extension date (if applicable) the checked attachments will automatically appear on the FCC website.
6. As soon as the marketing of the device begins the justification for short-term confidentiality no longer applies and the information held confidential must be released to the public. The applicant should immediately notify the TCB and the TCB should log in and select the link, which will be added to the database, to release the information.