



TELECOMMUNICATIONS
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Via Electronic Submission

March 19, 2014

Attn: Dr. Rashmi Doshi
Chief, Laboratory Division
Office of Engineering and Technology
Federal Communications Commission
7435 Oakland Mills Rd.
Columbia, MD 21046

Re: *KDB Request for the Allowance of Electronic Labeling*

Dear Dr. Doshi:

As a follow-up to our meeting on March 6, 2014 with the Federal Communications Commission's ("Commission") Office of Engineering Technology ("OET") on the topic of the Telecommunications Industry Association's ("TIA") request for the Commission to allow the non-exclusive use of electronic labeling,¹ TIA hereby submits this letter setting out its members' agreement for how to proceed with eLabeling. As described in TIA's petition for rulemaking,² the manufacturer community believes that eLabeling would provide multiple benefits to both consumers and manufacturers, and we think all parties would benefit if the Commission permitted eLabeling as quickly as possible. To that end, we were encouraged by the dialogue we had during our March 6 meeting where we discussed several different approaches the Commission could take to expedite the ability of manufacturers to implement eLabeling. We discussed both a pilot program that would allow manufacturers to implement eLabeling in a limited manner as well as a KDB inquiry where manufacturers would seek guidance and approval to implement eLabeling under the Commission's existing rules.³ It is our

¹ See TIA Ex Parte, ET Docket No. 13-44; RM-11673 (filed Mar. 10, 2014).

² *Request for the Allowance of Optional Electronic Labeling for Wireless Devices*, Petition for Rulemaking by the Telecommunications Industry Association, RM-11673 (Aug. 6, 2012).

³ The Commission already has the authority to allow eLabeling instead of physical labeling under its existing authority. Specifically, 47 C.F.R. § 2.929(f) states that "[w]here it is shown that a permanent affixed nameplate is

understanding that the KDB inquiry approach would be preferable to the Commission staff and so the focus of this letter is on that process.⁴

The following sets out proposals for proceeding under a KDB:

Products Permitted to Use eLabeling: Elabeling would be available for products that use a screen where the eLabeling information can be adequately displayed for consumers and regulatory authorities – *e.g.*, smart phones but not all feature phones.

Contents of the eLabel: TIA proposes that, at a minimum, the eLabel consist of:

- The FCC ID
- The FCC logo (if applicable)
- The product model number
- Attestation of Part 15 compliance, if applicable (47 C.F.R. § 15.19)
- Any other required information provided on the surface of the product

Standardized Shortcut to Contents of the eLabel: Equipment using eLabels shall include the 3GPP standard interface which provides a means of displaying electronic labels through the use of a standard code that the user inputs . Specifically, 3GPP provides:

“The [mobile equipment (“ME”)] may display the electronic marking (e-marking). If the ME supports the e-marking and if the ME supports Physical user input features (see section 5), the following procedure shall instruct the ME to display its e-marking: The procedure shall be accepted and performed with and without an inserted SIM/USIM. The e-marking may include, at the option of the manufacturer, regulatory-mandated marking information, regulatory restrictions of use if required and other relevant marking information. The regulatory marking should follow the format given by the regulation(s).”⁵

Information for Customs Agents: For each unit of imported equipment that incorporates an eLabel in lieu of a physical label, manufacturers may attach on the screen of each unit a transparent, removable sticker that contains the contents of an eLabel described above.

not *desirable* or is not feasible, an alternative method of positively identifying the equipment may be used if approved by the Commission”.

⁴ While we agree that the KDB inquiry process is the best mechanism to pursue eLabeling, if for some reason the Commission would prefer that manufacturers pursue a pilot program, we stand ready to do so.

⁵ Samsung, NEC, Nokia, RIM, Motorola Mobility, “Adding to the presentation of e-marking”, S1-122440, 3GPP TSG-SA WG1 Meeting #59, Chicago, USA, 30 July – 3 August 2012.

Labeling Information for Consumers: Manufacturers shall ensure that eLabels are accessible no deeper than 3 steps into a device's menu.

TIA requests that the Commission consider this correspondence as a request for KDB authorization for eLabeling, and that the Commission deem the above proposal permissible as quickly as possible.

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: /s/ Brian Scarpelli _____

Brian Scarpelli

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cc: Julius Knapp, OET
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