TELECOMMUNICATIONS INDUSTRY ASSOCIATION
1320 N. Courthouse Rd., Suite 200
Arlington, VA 22201 USA
www.tiaonline.org
Tel: +1.703.907.7700
Fax: +1.703.907.7727

January 30, 2014

Attn: R.W. McCaughern
Director General
Spectrum Engineering Branch
Industry Canada
365 Laurier Avenue
Ottawa, Ontario K1A 0C8

Attn: Claude Beaudoin
Certification and Engineering Bureau
Industry Canada
P.O. Box 11490, Station H
3701 Carling Avenue (Building 94)
Ottawa, Ontario K2H 8S2

Re: *Industry Canada's Consideration of the Allowance of Electronic Labeling for Information and Communications Technology in Issue 10 of its RSP-100* — Radio Equipment Certification Procedure

Dear Mr. McCaughern:

The Telecommunications Industry Association[1] ("TIA") submits this letter to encourage Industry Canada ("IC") to ease technical and logistical burdens on manufacturers while increasing end user access to useful information about their devices by allowing for the non-exclusive option of electronic labeling ("eLabeling") of radio frequency ("RF")-emitting and terminal information and communications technology ("ICT") as soon as possible. Specifically, we urge IC to include this allowance in its forthcoming draft Issue 10 of RSP-100 — *Radio Equipment Certification Procedure* ("RSP-100") in April 2014. eLabeling is becoming a natural progression from hard copy labels which would help in streamlining and lowering costs in the manufacturing process, eliminating typographical errors which sometimes appear on hard copy

[1] TIA is a North American trade association based in the Washington, DC area which represents hundreds of global ICT manufacturers, vendors, and suppliers. TIA's member companies manufacture or supply the products and services used in global communications across all technology platforms, including broadband, mobile wireless, information technology, networks, cable, satellite, and unified communications. Members' products and services empower communications in every industry and market, including healthcare, education, security, public safety, transportation, government, the military, the environment, and entertainment. TIA is also accredited by the American National Standards Institute ("ANSI") to develop standards for the telecommunications space. For more information, we urge you to view TIA's Policy Playbook, which provides further information on TIA, an overview of the ICT market, technologies, and policy recommendations to drive innovation and investment in the ICT field. *See* http://www.tiaonline.org/policy/tia-2013-playbook.

labels, and improving the approval processes by providing ease of access to information for the various constituencies in the device approval process, including IC.

Canada, like other important markets, benefits greatly from the competitive nature of the global ICT equipment market. This environment presents unique challenges to ensuring governments, consumers, and other stakeholders can readily determine whether a device has been properly certified, as well as to obtain additional information about a device as efficiently as possible. Historically, the use of physical markings or labels have played a key role in providing this important information, but the continuous evolution of industrial design (*e.g.* smaller smartphones) and multiple regulatory environments has led to increased costs and difficulty in ensuring all relevant markings or labels are affixed in an efficient and convenient manner for the user of the device. The consensus view of the ICT manufacturer community is that an effective solution to this problem is the non-exclusive use of electronic labeling for RF-emitting and terminal ICT equipment, which allows consumers and other users access to easily readable and prominently displayed information about each device. In order to address concerns related to Canadian customs, TIA supports putting needed information on packaging labels that includes required regulatory markings and other important information including proper device care, electronic recycling programs, and warranties.

Elsewhere, consideration of eLabeling is already at various stages. Within the United States, TIA submitted a petition for rulemaking to the United States' Federal Communications Commission ("FCC") urging for the non-exclusive allowance of eLabeling in early August of 2012.[2] From a procedural standpoint, the TIA eLabeling Petition, since being placed on Public Notice by the FCC, has seen no opposing statements from any stakeholder constituency. In addition, the EU Parliament is considering the inclusion of an electronic labeling allowance in its revision of the radio and telecommunication terminal attachment equipment ("R&TTE") Directive. Furthermore, in addition to other existing efforts in the allowance of electronic

[2] *See* Petition for Rulemaking, Telecommunications Industry Association, RM No. 11673 (Aug. 6, 2012) ("TIA eLabeling Petition"), *available at* http://bit.ly/1aE5Vn5.

labeling internationally,[3] 3GPP[4] has recently completed a revision of standard interfaces which provide a means of displaying electronic labels.[5]

TIA submits to IC that its current consideration of its next issuance of of RSP-100 in April 2014 presents the Canadian government with a chance to lead through the non-exclusive allowance of eLabeling along with a select few others.[6] While *status quo* labeling requirements continue to remain in place, ICT manufacturers have continued to develop and release products for consumers and enterprise, including mobile, push-to-talk, and portable phones; tablets; personal wireless routers; base station equipment; other wireless devices; and terminal equipment, all under the outdated burden of the existing labeling rules. TIA maintains that archaic physical labeling requirements for ICT equipment have little benefit to consumers, device certifiers, and customs officials compared to eLabeling, which enhances accessibility of equipment information. Inaction in this area withholds the consumer benefits of eLabeling from the general public, and has resulted in unneeded cost in implementing these outdated rules. Inaction has inhibited innovation in the development of ICT products and services.

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[3] For example, The Australian Communications and Media Authority's four device and equipment labelling notices have been amended to allow suppliers the option of using electronic labelling as an alternative to the traditional labelling of the surface of the device. *See* http://www.acma.gov.au/Industry/Suppliers/Supplier-resources/Record-keeping/electronic-labelling-equipment-types-i-acma.

[4] 3GPP is an alliance of telecommunications standard development organizations that provides members with an environment to produce reports and specifications that define 3GPP technologies. *See* http://3gpp.org/About-3GPP.

[5] *See* Samsung, NEC, Nokia, RIM, Motorola Mobility, "Adding to the presentation of e-marking", S 1-122440, 3GPP TSG-SA WG I Meeting #59, Chicago, USA, 30 July-3 August 2012. 3GPP has specified the use of MMI Command *#07# within 3GPP TS 22.030 for the purposes of displaying this regulatory information.

[6] TIA notes that eLabeling is currently allowed in Australia, Japan, the United Arab Emirates, and an allowance for this option is very likely forthcoming from the Canadian government.

We strongly encourage IC to propose the non-exclusive allowance of eLabeling for the non-exclusive use of electronic labeling for RF-emitting and terminal ICT equipment as swiftly as possible – i.e., in its planned April release of Issue 10 of RSP-100. We look forward to engaging with IC in their future draft issuances of RSP-100

Respectfully submitted,

TELECOMMUNICATIONS INDUSTRY ASSOCIATION

By: */s/ Brian Scarpelli*

Brian Scarpelli
Senior Manager, Government Affairs

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