



**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

June 9, 2005

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Shaker Hassan,
Sales Manager, Grand Trades Co.
4701 15th Avenue, N.E.
Apartment 108
Seattle, WA 98105

Re: File No. EB-05-SE-059

Dear Shaker Hassan:

This is an official **CITATION**, issued pursuant to Section 503(b)(5) of the Communications Act of 1934, as amended ("Communications Act"), 47 U.S.C. § 503(b)(5), for marketing unauthorized radio frequency devices in the United States in violation of Section 302(b) of the Communications Act, 47 U.S.C. § 302a(b), and Section 2.803(a) of the Commission's Rules ("Rules"), 47 C.F.R. § 2.803(a). As explained below, future violations of the Commission's rules in this regard may subject your company to monetary forfeitures.

By letter dated March 15, 2005, the Spectrum Enforcement Division of the Commission's Enforcement Bureau initiated an investigation into whether Grand Trades Co. ("Grand Trades") is marketing in the United States unauthorized radio frequency devices, specifically, cell phone jammers, wireless device jammers and long range cordless telephones.

At the time of that letter, March 15, 2005, we observed on your website, www.grandtrades.net, your advertisement for sale of the following radio frequency devices:

1. SH-066BM2 A/B-R cell phone jammer. The website indicated that there were two models of this device available, including one for "USA/Canada."
2. SH066PL2A/B portable cell phone jammer. The website indicated that there were two models of this device available, including one for "USA/Canada."
3. GT-200 cell phone jammer. The website indicated that there were two models of this device available, including one for "USA/Canada."
4. SRC300 cell phone jammer. The website indicated that there were two models of this device available, including one for "USA/Canada."
5. GT300 cell phone jammer. The website described this device as a "Worldwide" cell phone jammer.
6. 2.4 GHz wireless jammer. The website stated that this device interferes with the video signals of wireless cameras and blocks the communications of wireless LANs and Bluetooth devices.
7. Senao 358 long range cordless phone. The website indicated that this device has a range of 20 km.

8. Senao 668 long range cordless phone. The website indicated that this device has a range of 128 km.
9. Senao 869 long range cordless phone. The website indicated that this device has a range of 20 km.

Your advertisement of these products specifically listed shipping costs to customers in the United States. Your website also listed your “USA” business address as 4701 15th Avenue, N.E., Apartment 108, Seattle, Washington 98105, and your “USA” fax number as (206) 309-0271. Furthermore, your website stated that “[w]e run the business from more than one location in Taiwan, Egypt & USA” and that “we gladly served many customers worldwide from USA, UK, Canada, Germany, Ireland, France, Italy, Portugal & more.”

In response to our letter of inquiry, you sent us two undated written responses by facsimile, one received on or about March 20, 2005 and one received on or about March 30, 2005. In these faxes, you claimed that your company is based in Taiwan and Egypt, that you don’t have any import or export business activity or distributors inside the U.S., and that you don’t have an office or branch of Grand Trades or hold any inventory in the U.S. You further claimed that Grand Trades is “not directing our business to USA.” Nevertheless, you admitted that since Grand Trades began its business about five months ago, it has sold about 10 cell phone jammers, two video jammers, and four long range cordless telephones to U.S. customers. You did not provide FCC Identification numbers or other documentation showing that the devices have been certified in accordance with the Commission’s equipment authorization requirements. Finally, you stated that you do not manufacture the devices and are not aware of the regulations of each country.

Section 302(b) of the Act provides that “[n]o person shall manufacture, import, sell, offer for sale, or ship devices or home electronic equipment and systems, or use devices, which fail to comply with regulations promulgated pursuant to this section.” Section 2.803(a)(1) of the Commission’s implementing regulations provides that:

no person shall sell or lease, or offer for sale or lease (including advertising for sale or lease), or import, ship, or distribute for the purpose of selling or leasing or offering for sale or lease, any radio frequency device unless ... [i]n the case of a device subject to certification, such device has been authorized by the Commission in accordance with the rules in this chapter and is properly identified and labeled as required by § 2.925 and other relevant sections in this chapter.

Pursuant to Section 15.201(b) of the Rules, 47 C.F.R. § 15.201(b), intentional radiators must be authorized in accordance with the FCC’s certification procedures prior to the initiation of marketing¹ in the U.S. Based on your failure to provide FCC Identification numbers or other documentation showing that the jammers and cordless telephones marketed in the U.S. by Grand Trades have been certified, as well as our review of the Commission’s equipment authorization database, it appears that these devices have not been certified. Moreover, it does not appear that these devices are capable of receiving a grant of certification. In this regard, the main purpose of cell phone and other wireless jammers is to block or interfere with radio communications. Such use is clearly prohibited by Section 333 of the Act, 47 U.S.C. § 333, which states that “[n]o person shall willfully or maliciously interfere with or cause interference to any radio communications of any station licensed or authorized by or under this Act or operated by the

¹ Section 2.803(e)(4) of the Rules defines “marketing” as the “sale or lease, or offering to sale or lease, including advertising for sale or lease, or importation, shipment or distribution for the purpose of selling or leasing or offering for sale or lease.” 47 C.F.R. § 2.803(e)(4).

United States Government.” A device such as a jammer which intentionally interferes with radio communications is not eligible for certification.² Similarly, considering the long ranges cited in your advertisements for the cordless telephones, it appears that they do not comply with FCC technical requirements and therefore could not receive a grant of certification. Accordingly, it appears that Grand Trades has violated Section 302(b) of the Act and Section 2.803(a) of the Rules by marketing in the United States the nine unauthorized radio frequency devices listed above. Finally, we note that the evidence before us contradicts Grand Trades’ claim that it is not directing its business to the United States. In this regard, we note, among other things, that Grand Trades’ website advertised “USA/Canada” models of several of its cell phone jammers, listed shipping costs to the United States for its products, and stated that “[w]e run the business from more than one location in Taiwan, Egypt & USA” and that “we gladly served many customers worldwide from USA, UK, Canada . . .”

If, after receipt of this citation, you violate the Communications Act or the Commission’s rules in any manner described herein, the Commission may impose monetary forfeitures not to exceed \$11,000 for each such violation or each day of a continuing violation.³

You may respond to this citation within 30 days from the date of this letter either through (1) a personal interview at the Commission’s Field Office nearest to your place of business, or (2) a written statement. Your response should specify the actions that you are taking to ensure that you do not violate the Commission’s rules governing the marketing of radio frequency equipment in the future.

The nearest Commission field office appears to be the Seattle District Office, in Kirkland, Washington. Please call Katherine Power at 202-418-0919 if you wish to schedule a personal interview. You should schedule any interview to take place within 30 days of the date of this letter. You should send any written statement within 30 days of the date of this letter to:

Kathryn Berthot
Deputy Chief, Spectrum Enforcement Division
Enforcement Bureau
Federal Communications Commission
445-12th Street, S.W., Rm. 7-C802
Washington, D.C. 20554

Under the Privacy Act of 1974, 5 U.S.C. § 552(a)(e)(3), we are informing you that the Commission’s staff will use all relevant material information before it, including information that you disclose in your interview or written statement, to determine what, if any, enforcement action is required to ensure your compliance with the Communications Act and the Commission’s rules.

² Section 2.803(g) of the Rules provides that radio frequency devices that could not be authorized or legally operated under the rules “shall not be operated, advertised, displayed, offered for sale or lease, sold or leased, or otherwise marketed absent a license issued under part 5 of this chapter or a special temporary authorization issued by the Commission.” 47 C.F.R. § 2.803(g).

³ See 47 C.F.R. § 1.80(b)(3).

The knowing and willful making of any false statement, or the concealment of any material fact, in reply to this citation is punishable by fine or imprisonment under 18 U.S.C. § 1001.

Thank you in advance for your anticipated cooperation.

Sincerely,

Kathryn Berthot
Deputy Chief, Spectrum Enforcement Division
Enforcement Bureau
Federal Communications Commission