



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

July 21, 2008

**VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Vladimir Reznik, Owner  
RangeVideo

Re: File No. EB-08-SE-182

Dear Mr. Reznik:

This is an official **CITATION**, issued pursuant to Section 503(b)(5) of the Communications Act of 1934, as amended (“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 Act, 47 U.S.C. § 302a(b), and Sections 2.803 and 15.205(a) of the Commission’s Rules (“Rules”), 47 C.F.R. § 2.803 and 15.205(a), and importing radio frequency devices without filing FCC Form 740 (or the electronic equivalent) with the United States Customs and Border Patrol, in violation of Section 1.1203 of the Rules, 47 C.F.R. § 1.1203. As explained below, future violations of the Commission’s Rules in this regard may subject your company to monetary forfeitures.

By letter of inquiry (“LOI”) dated June 2, 2008, the Spectrum Enforcement Division of the Commission’s Enforcement Bureau initiated an investigation into whether RangeVideo is marketing in the United States unauthorized radio frequency devices, specifically, wireless video transmitters. At the time of that letter, we observed on your website, [www.rangevideo.com](http://www.rangevideo.com), your marketing of the following radio frequency devices:

1. 900MHz 100mW audio/video transmitter
2. 900MHz 500mW audio/video transmitter
3. 1.3GHz 300mW audio/video transmitter
4. 2.4GHz 200mW audio/video transmitter
5. 2.4GHz 500mW audio/video transmitter
6. 2.4GHz 1000mW audio/video transmitter
7. 2.4GHz 1000mW cased audio/video transmitter.

In your response to the LOI dated June 30, 2008, you state that you do not manufacture these transmitter devices. You admit that you first imported the devices on August 2, 2006, that you continue to import the devices, that you have imported 2,613 units of the devices, and that you first sold these devices on August 22, 2006. You also admit that, although you import the devices, you have not filed FCC Form 740 with the United States Customs and Border Patrol. In addition, while you claim to “sell mostly to other countries,” you acknowledge that you have sold 1,673 units to United States purchasers.<sup>1</sup>

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<sup>1</sup> Your response included as an attachment a grant of equipment certification for only one device, a 2.4 GHz 10 mW A/V transmitter, issued under FCC ID No. QV8TD2400. This transmitter, however, is not a subject of this Citation.

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.

Additionally, Section 2.803(a)(1) of the Rules provides that:

(a) Except as provided elsewhere in this section, 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: (1) [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<sup>2</sup> must be authorized in accordance with the Commission’s certification procedures prior to the initiation of marketing<sup>3</sup> in the United States. It does not, however, appear that the seven transmitters listed above and marketed on your website have received a grant of authorization and, in any event, these transmitters would not be capable of receiving such a grant. In this regard, the marketing materials you provided with your LOI response indicate that these A/V transmitters are capable of operation on restricted frequencies listed in Section 15.205(a) of the Commission’s Rules.<sup>4</sup> Specifically, the 900 MHz devices are capable of operation on 980 MHz, 1010 MHz and 1040 MHz; the 1.3 GHz device are capable of operating on 1240 MHz, 1320 MHz and 1360 MHz;<sup>5</sup> and the 2.4 GHz devices are capable of operating on 2490 MHz. Thus, these transmitter devices cannot comply with the FCC’s technical standards and therefore cannot be certified or marketed.

We note that in your response to the LOI, you state that before you ship a transmitter device, you switch it to operate only in the Amateur Radio Service (“ARS”) bands. While radio transmitting equipment that transmits solely on ARS frequencies is not subject to the equipment authorization requirement prior to manufacture or marketing, it appears that the seven transmitter devices marketed on your website are equipped with external toggle switches on the unit, which if engaged would allow operation of the device on the restricted frequencies noted above. On May 13, 1996, the Commission’s Office of Engineering and Technology released a Public Notice “to clarify the Commission’s Rules

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<sup>2</sup> Section 15.3(o) of the Rules defines an “intentional radiator” as a “device that intentionally generates and emits radio frequency energy by radiation or induction.” 47 C.F.R. § 15.3(o).

<sup>3</sup> 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).

<sup>4</sup> Section 15.205(a) allows intentional radiators to transmit only spurious emissions in the restricted frequency bands. 47 C.F.R. § 2.1 defines spurious emissions as “[e]missions on a frequency or frequencies which are outside the necessary bandwidth and the level of which may be reduced without affecting the corresponding transmission of information. Spurious emissions include harmonic emissions, parasitic emissions, intermodulation products and frequency conversion products, but exclude out-of-band emissions.”

<sup>5</sup> Your response indicates that the 1.3 GHz device is shipped with a default setup of 1240 MHz. This frequency is, however, a restricted frequency under Section 15.205(a) of the Rules.

regarding equipment that is intended to operate in various radio services in the high frequency radio spectrum, including '10-Meter' Amateur Radio Service equipment.”<sup>6</sup> The *Notice* stated that transmitters intended for operation on non-amateur frequencies must be approved prior to manufacture, importation or marketing. The *Notice* specifically included ARS transceivers designed “such that they can easily be modified by the users to extend the operating frequency range into the frequency bands” of other non-amateur radio services among those devices subject to equipment authorization procedures. The *Notice* also stated that the Commission considers these transceivers as intended to be operated on frequencies where the use of type accepted equipment is required “because of the simplicity of modifying them to extend their operating frequency range.”<sup>7</sup> Therefore, the transmitter devices listed on your website require a grant of equipment certification prior to the initiation of marketing in the United States, but, as noted above, cannot be certified because they operate on restricted frequencies.

Accordingly, it appears that RangeVideo has violated Section 302(b) of the Act and Sections 2.803 and 2.805 of the Rules by marketing in the United States the seven A/V transmitters listed above.

Lastly, your response to the LOI indicates that you import the above-listed devices without filing FCC Form 740 with U.S. Customs declaring an import condition.<sup>8</sup> Section 2.1203(a) of the Rules provides that “[n]o radio frequency device may be imported into the Customs territory of the United States unless the importer or ultimate consignee, or their designated customs broker, declares that the device meets one of the conditions for entry set out in this section.” Accordingly, it appears that RangeVideo has violated Section 2.1203 of the Rules by importing radio frequency devices without filing FCC Form 740 (or the electronic equivalent) declaring an import condition.

**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.**<sup>9</sup>

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 Atlanta District Office, in Atlanta, Georgia. Please call Nissa Laughner at 202-418-1358 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  
Chief, Spectrum Enforcement Division  
Enforcement Bureau  
Federal Communications Commission  
445-12<sup>th</sup> Street, S.W., Rm. 3-C366  
Washington, D.C. 20554

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<sup>6</sup> *Extended Coverage High Frequency Transceivers*, Public Notice 62882, 1996 WL 242469, available at <<[http://www.fcc.gov/Bureaus/Engineering\\_Technology/Public\\_Notices/1996/pnet6023.txt](http://www.fcc.gov/Bureaus/Engineering_Technology/Public_Notices/1996/pnet6023.txt)>> (OET, rel. May 13, 1996) (“*Notice*”).

<sup>7</sup> *Id.*

<sup>8</sup> See 47 C.F.R. § 2.1205. Under Section 2.1205, the required declaration may be filed electronically. In addition, the specific import conditions are set forth in Section 2.1204 of the Rules, 47 C.F.R. § 2.1204.

<sup>9</sup> See 47 C.F.R. § 1.80(b)(3).

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.

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  
Chief, Spectrum Enforcement Division  
Enforcement Bureau  
Federal Communications Commission