

If an applicant believes that any portion of the Private Security Entity application contains any information that is exempt from disclosure as a trade secret or otherwise is exempt from disclosure under the Oregon Public Records Law (ORS 192.311 through 192.478), the applicant shall submit the Disclosure Exemption (Attachment A) and a redacted version of its application, clearly identified as the redacted version. **This submission shall be in addition to an unredacted version of the application.**

The applicant is cautioned that cost information generally is not considered a trade secret under the Oregon Public Records Law and identifying the application, in whole, as exempt from disclosure is not acceptable. The DPSST recommends each applicant to consult with its own legal counsel regarding disclosure issues. If an applicant fails to identify the portions of the application that the applicant claims are exempt from disclosure, the applicant has waived any future claim of non-disclosure of that information.

ATTACHMENT A
DISCLOSURE EXEMPTION

_____ (Affiant/Entity Representative), being first duly sworn under oath, and representing _____ (hereafter “Applicant”), hereby deposes and swears or affirms under penalty of perjury that:

1. I am the Entity Representative of the Applicant and I have full authority from the Applicant to submit this affidavit and accept the responsibilities stated herein.
2. I submitted and signed on behalf of the Applicant, an application for private security entity licensure (the “Application”) and I am familiar with the contents of the Application.
3. I have read and am familiar with the provisions of Oregon’s Public Records Law, Oregon Revised Statutes (“ORS”) 192.311 through 192.478, and the Uniform Trade Secrets Act as adopted by the State of Oregon, which is set forth in ORS 646.461 through ORS 646.475. I understand that the Application is a public record held by a public body and is subject to disclosure under the Oregon Public Records Law unless specifically exempt from disclosure under that law.
4. I have reviewed the information contained in the Application. I believe, on behalf of the Applicant, that the information listed in Exhibit A (attached to this Attachment A and incorporated herein by this reference) is exempt from public disclosure (collectively, the “Exempt Information”). It is my opinion that the Exempt Information is exempt from disclosure under Oregon’s Public Records Law under the specifically designated sections as set forth in Exhibit A, or constitutes “Trade Secrets” under either the Oregon Public Records Law or the Uniform Trade Secrets Act as adopted in Oregon because that information is either:
 - A. A formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information that:
 - i. is not patented,
 - ii. is known only to certain individuals within the Applicant’s organization and that is used in a business the Applicant conducts,
 - iii. has actual or potential commercial value, and
 - iv. gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

or

 - B. Information, including a drawing, cost data, customer list, formula, pattern, compilation, program, device, method, technique, or process that:
 - i. Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and
 - ii. Is the subject of efforts by the Applicant that are reasonable under the circumstances to maintain its secrecy.

EXHIBIT A TO ATTACHMENT A

Applicant identifies the following information as exempt from public disclosure under the following designated exemption(s):