

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON DC 20268-0001

REVIEW OF NONPOSTAL SERVICES

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Docket No. MC2008-1

**MOTION OF EPOSTMARKS, INC.
TO STRIKE OR, IN THE ALTERNATIVE,
FOR LEAVE TO FILE SUPPLEMENTAL BRIEF
(October 14, 2008)**

Epostmarks, Inc. respectfully moves to strike the “Comments” (i.e., rebuttal brief) filed by the Information Assurance Consortium (“IAC”) in this docket on September 29, 2008, along with the summary of the IAC filing appearing on pages 11-12 of the September 30 reply brief of Digistamp Inc. In the alternative, Epostmarks moves for leave to file the supplemental reply brief that Epostmarks has separately lodged with the Commission today.

IAC is an association of six “small businesses”—Geobridge, Proofspace, TimeCertain, Surety, Identity Associates LLC and Kinamik—that market date and time-stamp products to other businesses. See www.infoassurance.org/members.htm (site accessed Oct. 12, 2008). These products apparently comply with a data security protocol known as ANSI X9.95. In its September 29 “Comments,” IAC contends—for the first time in this proceeding—that the Commission should terminate the authority of the Postal Service to offer an electronic postmark (“EPM”) because the Postal Service has declined to embrace ANSI X9.95 in lieu of the security protocols adopted by the Universal Postal Union (“UPU”).

According to IAC's September 29 filing, IAC has been advocating the adoption of ANSI X9.95 for over two years. IAC did not, however, raise the issue in this proceeding by filing comments or an initial brief with the Commission within the deadlines established by the Commission for doing so. IAC's belated filing will deny Epostmarks adequate notice and opportunity to respond to IAC unless (1) the filing (and the portion of Digistamp's September 30 brief that relies on it) are stricken, or (2) Epostmarks is given an opportunity to respond.

Respectfully submitted,

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October 14, 2008