



DEC 7 2004

MEMORANDUM FOR RONALD POUSSARD  
DIRECTOR  
DEFENSE ACQUISITION REGULATIONS COUNCIL

FROM: RALPH DESTEFANO, DIRECTOR  
REGULATORY AND FEDERAL ASSISTANCE  
PUBLICATIONS DIVISION

SUBJECT: FAR Case 2004-020, Section 508 Micropurchases Exemption

Attached are comments received on the subject FAR case published at 69 FR 59702; October 5, 2004. The comment closing date was December 6, 2004.

<u>Response Number</u>	<u>Date Received</u>	<u>Comment Date</u>	<u>Commenter</u>
2004-020-1	10/06/04	10/06/04	UCN, Inc.
2004-020-2	10/19/04	10/19/04	Turner Consulting Group
2004-020-3	11/20/04	11/20/04	Designer Appliances, Inc.

Attachments

2004-020-1



**comments@comments  
.regulations.gov**

10/06/2004 04:00 AM

To: farcase.2004-020@gsa.gov  
cc: group\_erulemaking@notesmail.epa.gov  
Subject: Docket Comments - October 05, 2004

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Thank You!



NASA-04-22246-100504.z

2004 - 020-1

Agency : NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
Title : Federal Acquisition Regulation; Telecommuting for Federal Contractors  
Subject Category : Federal Acquisition Regulation (FAR): Federal Acquisition Regulation (FAR): Federal Acquisition Regulation (FAR): Telecommuting for Federal contractors Telecommuting for Federal contractors  
Docket ID : 9000-AK03  
CFR Citation : 48 CFR 7, 11, 13, 15  
Published : October 05, 2004  
Comments Due : December 06, 2004  
Phase : RULES

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Please note your REGULATIONS.GOV number.

Regulations.gov #: EREG - 1 Submitted Oct 05, 2004

Author : Ms. Jan Johnson

Organization : UCN, Inc.

Mailing Address :

Attached Files :

Comment : We want to inform the government that there are adequate technologies now available to support the telecommuting of lower level employees involved in the general business of citizen contact - answering standard questions, fielding questions and routing calls to appropriate others - in basic front line citizen service/support type functions. These technologies enable real-time, random monitoring of calls, provide real-time reporting on who is logged in for work, who is available for calls, how many calls are in queue on hold, in process; the employees can be dispersed across the US enabling contractors to hire in lower-cost areas of the countries, thus reducing budget requirements. The use of available features to managed remotely and to automatically survey the callers' experience immediately, thus producing near real-time trends on satisfaction levels provided by the agency - all of these features are available today on a pay-as-you-go basis.

We encourage the agency to take this regulation one step further and in fact incentivize suppliers who take the initiative to hire telecommuting contractors, since this practice reduces human concentration in centralized locations, reduces oil consumption by eliminating the commute, and provides an avenue for the agency to reduce costs because the agency does not have to house employees in its facilities, in addition it provides access workers in lower-cost areas of the countries.

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2004-020-2



comments@comments  
.regulations.gov

10/19/2004 04:01 AM

To: farcase.2004-020@gsa.gov  
cc: group\_erulemaking@notesmail.epa.gov  
Subject: Docket Comments - October 18, 2004

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This message transmits public comments and related documentation submitted on your agency's rulemakings through the Regulations.Gov website. Comment files and attachments have been compressed into a zip file to ease transmission through agency e-mail systems. An Unzip program will be required to extract the attached files.

Please distribute these comments to the appropriate rulemaking dockets. If you have questions, please send e-mail to: comments@comments.regulations.gov.

Thank You!



NASA-04-22246-101804.z

2004-020-2

Agency : NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
Title : Federal Acquisition Regulation; Telecommuting for Federal Contractors  
Subject Category : Federal Acquisition Regulation (FAR): Federal Acquisition Regulation (FAR): Federal Acquisition Regulation (FAR): Telecommuting for Federal contractors Telecommuting for Federal contractors  
Docket ID : 9000-AK03  
CFR Citation : 48 CFR 7, 11, 13, 15  
Published : October 05, 2004  
Comments Due : December 06, 2004  
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Your comment has been sent. To verify that this agency has received your comment, please contact the agency directly. If you wish to retain a copy of your comment, print out a copy of this document for you

Please note your REGULATIONS.GOV number.

Regulations.gov #: EREG - 2 Submitted Oct 18, 2004

Author : Mr. Daniel Turner  
Organization : Turner Consulting Group  
Mailing Address :  
Attached Files :

Comment : I have a contracting company. We've been trying to get our clients to let us telecommute for 10 years. Sometimes they say OK; sometimes they fire us because they can't see us and that makes them think we're not working.

The reality is that when people work from home, they're far more productive. We've seen gains of over 100%. Our evaluation of the workplace is that in the majority of cases, employees get only about 3-4 hours of real work done per day. There are too many distractions - smells, coworkers stopping by, coffee, lunch, etc. When at home we get 6.5-7.5 hours of actual work in an 8-hour day. That's an amazing difference.

This regulation, though it really needs an evaluation of the excuses COTRs give to determine whether they're legitimate or just stupid, will go a long way towards making the government better at dealing with telecommuters. In addition, it will save the government a fortune on office space, and will encourage the government to be more hands-off on contracts. Currently, because contractors are required to be on-site most of the time, the government feels like it can interject its own opinion of the way things should be done. This is contrary to performance-based contracting, which all government agencies are supposed to be promoting.

Some COTRs will complain about on-site vs. off-site costs. In my opinion, contractors should be required to make the costs the \*same\* (or within, say, 1%). That way there will be no cost difference. And the reality is that the cost is nearly identical, except you can pay people less when they're telecommuters. They don't have to spend 2 h

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a day commuting, and that alone saves them 20% of their time. So, pay them 20%  
Such a deal!

So, in a nutshell:

1. GREAT regulation.
  2. Create a vetting procedure for incoming requests for ignoring the regulation.
  3. Don't let contracting officers get too many passes on the regulation. Hold their f  
the fire!
  4. This'll save the government a fortune.
-

2004-020-3



"Tom Large"  
<tomlarge@quillmouse.com>

To: farcase.2004-020@gsa.gov  
cc: "Gordon trby" <gordon@trby.com>  
Subject: Comments to FAC 2001-25, FAR case 2004-020

11/20/2004 05:50 PM  
Please respond to  
tomlarge

**FAC 2001-25, FAR case 2004-020**

Dear FAR Secretariat

In relation to: Federal Acquisition Regulations; Section 508 Micropurchase Exemption.

We wish to add commentary as to the extension of the Section 508 Micropurchase exemption as an interested industrial party. The introduction of Section 508 Law brought with it specific minimum standards for accessibility under which companies like our own were encouraged to invest in the development of products bearing technology that would subscribe to Section 508 compliance so as to be able to compete for Government E&IT business. Such invitations are many and in the public domain such as can be deemed as this one from President Clinton, when first announcing the Standards.

**Board Issues Standards for Electronic and Information Technology (12/21/00)**

<http://www.access-board.gov/news/508-final.htm>

"Breaking down barriers is not enough," the President [Clinton] noted, "People actually have to have the tools they need to take advantage of this remarkable moment of opportunity -- especially the tools they need in cyberspace."

In this FAR announcement below the efforts of industry to conform to Section 508 Standards is also recognized.

**DATE:** July 24, 2003

**SUBJECT:** Federal Acquisition Circular (FAC) 2001-15, Miscellaneous Amendments

**SOURCE:** *Federal Register*, July 24, 2003, Vol. 68, No. 142, page 43853  
Item (7)

"We applaud industry's efforts to build accessibility features into their products and their participation in making information about product features available by completing the VPAT [Voluntary Product Accessibility Template]. We encourage industry to continue to work toward a solution that will assist the government purchase cardholder, who may have little technical knowledge regarding Section 508, in purchasing products and services that meet the applicable accessibility standards...We are hopeful that a solution can be found that will be agreeable to

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both industry and the government."

This announcement also goes on to state that labeling and identification of Section 508 asserted compliant products is the issue for the continuing the Micropurchase exemption. It is ironic that, as will be read below, our company's listing was removed from the Buy Accessible website one week following intervention and complaint by a non complaint product competitor. It is our belief that this competitor could have been expected to suffer some commercial impact in the event that the Micropurchases exemption had not been extended and our presence, as a compliance asserted mouse manufacturer, been maintained on the Buy Accessible section of the Section 508 website. They may still be impacted in the future when the exemption extension expires and if they cannot come up with a compliance asserted design in the next few months and in the event that computer mice are duly recognized as falling under the influence of the Standards and so subject to Section 508 Law.

Their complaint to the Section 508 Group was in regards to our efforts to raise awareness of our assertions of our products Section 508 compliance, which was, in their opinion, against their company's interests. That is correct and so it should be as we, unlike them, has invested significantly in developing products that help the Government to implement this Law.

This raises the issue that there is no guidance or advice as to how manufacturers can make claims as to their assertions of compliance in "on product" or "in advertising" communications. Our suggestion is that the use of the "Section 508" logo be recommended along with the words "Compliance Asserted By Manufacturer" in a Circle around and above the logo along with "search under [manufacturer's name] at [www.section508.gov](http://www.section508.gov)" around and underneath the logo. In this way such assertions on product or in advertisements (which must clearly identify the specific product for which assertions of compliance are made if multiple products, including non compliant products are advertised) can be validated and referenced to the Standards and to that company's presence and that of those products identified and asserted as complaint, on the Buy Accessible section of the Section 508 website. This then fulfills the objective of informing both Government and People who have an interest in Accessibility.

Other reasons for our approach with commentary are twofold: -

We have invested in the development of computer mouse products that are subject to and clearly compliant with the well defined standards and application under subsections 1194.26 and 1194.23 of Section 508 Law. We submitted a VPAT with these assertions in March 2003 and were activated and listed under the Buy Accessible Section, so visible to Government Purchasing Officers from that time.

In October 2004, without notice we were de-listed from the Buy Accessible site and upon inquiry were told that input devices, in our case a computer mouse, were not considered as Electronic & Information Technology but Assistive Technology and therefore not subject to the requirements of Section 508 compliancy. Simple examination of the law suggests that all Government E&IT purchases are subject to Section 508 Law and that compliant products must be purchased in favor of non compliant products if such choices exist. This makes Section 508 equally applicable to

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Assistive Technology product purchases that may be sought under Sections 501 or 504, but, as in all cases, non compliant products can be procured in the event that a suitable compliant product cannot be sourced. We have taken this matter up with the Section 508 group and the Access Board and a meeting is scheduled for Dec 14, 2004 that we hope will resolve this issue. That however is beyond the time allotted for commentary in this process and the outcome of that meeting does not alter all aspects of this commentary.

Our first concern, which impacts the fundamental issue of Micropurchases in this product sector, is that any organization who voluntarily discloses and asserts its products Section 508 compliance has no tenure or assurance that it will be able to present its products to Government Purchasing Officers via the Buy Accessible "tool". Listing on the Buy Accessible site prompted ongoing investment in developing product to meet Section 508 standards on the basis of confirmation of the applicability of those standards to our products acknowledged by the Section 508 group by way of being listed on the Buy Accessible website, for 18 months in this case. De-listing after entering into and being activated under a "voluntary" self assertion program can only be deemed as intervention and positive affirmative and interpretation of claims by the Section 508 group. This amounts to Section 508 compliance determination and certification by the GSA, which has been stated as not being intent and brings with it liability for such determinations against a background in which every Federal Employee has an affirmative right to litigation if they are not provided with accessible technology. Federal employees who have been supplied with our products as accessible technology in the future may be considered to have been favored relative to those employees who may not now be supplied with our products due to de-listing and despite our continued assertions of their compliance as accessible technology. Therefore any consequence of use of mouse products purchased by the GSA since our delisting will be under the liability created by the Section 508 Group's decision to remove our products, whereas and how it should be, any consequences of the use of our products purchased under our assertions of compliance are at the liability of this company.

Our second concern, which is independent of the issue raised above, is our inability to compete for business for the duration of this exemption period. While our un-notified removal from the Buy Accessible site inhibits our use of that medium for the purpose the Law requires that the Purchasing Officers perform their own determination of product compliancy and because we do assert our claims to compliance it is possible that by the use of other vehicles of communication we might present our case for compliance to purchasing offices for their own determination of the Law. In that case this most recent FAR announcement to extend the Micropurchase exemption impedes our opportunities in that regard. As the extension came the day after our removal from the Buy Accessible site and some 5 days after the exemption, by prior announcement, had expired, for those 5 days Micropurchases did fall under Section 508 Law and for 4 of those days this company was listed upon the Buy Accessible website and is therefore qualified to comment in this process.

We are an input device manufacturer, heavily invested in and committed to Section 508 Law and its Standards as a mechanism for competing fairly for Government E&IT business. As replacement and standalone items, in purchasing value terms, computer mice are what we and probably most others would consider Micropurchases. We had already in the week prior to the

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Micropurchase exemption expiration received a number of significant and what we deem as "Micro-Purchases" of our products for delivery after October 1, 2004. These were on Government credit cards by GSA Purchasing Officers. This therefore suggests that, under the duly allotted process by which Purchasing Officers themselves examine claims and evaluate compliance, some Purchasing Officers at least have considered and so deemed our products as Section 508 compliant. We therefore consider that the extension of the Micropurchase exemption affects us adversely and denies us the opportunity to compete fairly for Government business for its duration. This after having been the recipient of an open invitation to compete for E&IT business by the defining of standards that are a requirement of law so as to be able to compete for that business, which and as a consequence, required an investment in our products so as to be able do so. We also reaffirm our assertion that our products are compliant with the Standards and, in relation to the Law, computer mice are applicable and so purchases of such are governed by Section 508 Law.

It is our opinion that the design of computers limits a user's ability as to their use and so designates disability in their regard. Our own investigation into the physiological impacts of using computers extensively concurs with the design impact of the Standards developed by the Access Board in relation to subsections 1194.26 and especially in relation to subsection 1194.23. In our opinion products to this design standard are preventative for those considered able bodied so as to reduce the potential impact of excessive computer use and the development of input device associated injuries, often called RSI's or MSD's with the impact upon the computer workforce that such things are now known to have. Also, products designed to this standard, by minimizing and even eliminating the use of those muscles that can become damaged enable those who may not have the use or coordination of those muscles to the same extent as others. Therefore such persons considered to be disadvantaged in regards to computer use are enabled to make input into a computer as easily and as productively as those that current technology limitations designate as more able bodied.

Products made to these standards are therefore compliant with a Universal Design philosophy, accommodating a broader spectrum of ability than is currently provided for by older and more physically demanding input devices. The Access Board should be commended for their insight in this regards and there can be no better definition of Accessible Technology than this.

We therefore request that this commentary be placed upon the record as a contribution towards identifying issues for resolution that will ultimately lead to a more effective implementation of the process and so contribute towards the success of the Section 508 Accessibility objective. We remain committed to the support of the US Government in this and all regards and to the provision of products that represent innovation, provide accessibility and so ease the physical burden placed upon persons who use computers extensively whether with our without disability. It is our hope to develop technologies with global implications and thereby create employment and so contribute to the social and economic health of this nation.

Yours very truly

**Tom Large**  
**President & CEO**

2004-020-3

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[www.theassistiveweb.com](http://www.theassistiveweb.com)

**The Virtually Hands Free Mousing System: Commended for Ease of Use by the Arthritis Foundation**

A Division of Torbay Holdings Inc, OTC:BB TRBY.OB

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## Welcome to The Clickless Web

### You surf. We click.

The Clickless Web allows you to surf the Internet without clicking the mouse at all. For a quick tutorial on how to use this site, see [The Tutorial](#).

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The Clickless Web is a service that is provided by Designer Appliances Inc., a new company that is leading the way in removing the effort required by users of computer mice. We are building Assistive Technology ramps on to the Internet, by easing the strain that gripping and clicking mice creates for everyone.

**The Clickless Web** will be a service provided through this website for a small subscription; subscribers will be able to surf the entire Web without having to click mouse buttons. At the moment, the website is a "Showcase" version, available for a few weeks only, and does not yet have full functionality.

**The Assistive Web** ([www.theassistiveweb.com](http://www.theassistiveweb.com)) will be an affiliated service that will allow web site owners to make their sites Clickless, at no charge to their customers.

We estimate that 500,000 fingers are clicking at any given moment as people surf the Internet. This simple activity, repeated so many times, causes untold injury. But now there is help.

For further information, or to pre-apply for a subscription, please email [sales@quillmouse.com](mailto:sales@quillmouse.com).

For understanding the benefits of working without Gripping or Clicking Computer Mice please visit [www.quillmouse.com](http://www.quillmouse.com) where you can read about our Grip-less Mouse and Clickless software that will work on all applications you use on your computer, and not just the internet.

### Support

- Tutorial
- Quick Start
- Reference
- System Requirements
- Fixing Problems

### Upgrade

- Gripless Surfing
- Full Gripless & Clickless - PC
- Full Gripless & Clickless - Mac




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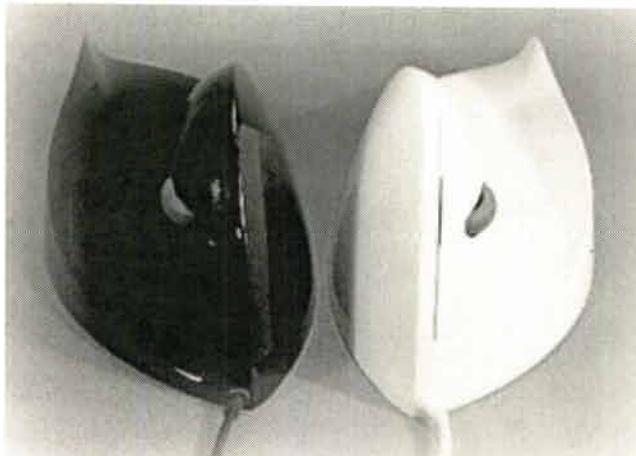
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Designer Appliances Inc is quickly becoming recognized as a leading supplier of computer input devices that subscribe to Universally Assistive Technology principles. In our short history, in addition to the most important recognition of all, thousands of users now using our products everyday, we have been selected by the Microsoft Corporation as an Assistive Technology partner and are provided with support by them so as to ensure our hardware and software products will be compatible with theirs. We have received a commendation from the Arthritis

Foundation for Ease of Use of our Virtually Hands Free Mousing System for persons with arthritis and more recently were nominated for a New Abilities Award by the New Freedom Foundation. This was won by Walt Disney World for their contributions to making accessibility available to all.

We have evolved a unique range of mousing products designed to best-known practice that are the only conventional mousing products to conform to standards of Accessibility as seen by their compliance with the US Government's Section 508 Standard (Part 1194.26, subsection 2.0) on Accessible Technology.

We have just "invented" The Clickless Web, an application for those who surf the Internet extensively and so contribute to the 500,000 clicks, we estimate take place on average, every second of every day on the web. Individuals who wish to surf the Internet without clicking buttons will be able to utilize this service from [www.theclicklessweb.com](http://www.theclicklessweb.com). Corporations who wish to have their websites made Clickless can contact us via email at [sales@quillmouse.com](mailto:sales@quillmouse.com) will also be listed on our Assistive Tech website [www.theassistiveweb.com](http://www.theassistiveweb.com). Both sites link to the same web page, which is currently a free demonstration of the facility.



Important to our commitment to develop the best technology products available is keeping up to date with the science and practice of good mousing. Scientists in the US have finally identified certain changes in the pathology of bone and tissues that provide for a clearer understanding as to why problems, that have been called Repetitive Strain Injury (RSI), can occur. We believe this research helps to confirm and support our own product development that is designed to remove

**THE QU**

**BUY NOW**

- Home Page
- GSA Section
- Medical + Insurance
- Getting M.A.I
- Grip-Less™
- Grip & Click-L
- Doctors/Distri
- Hall of No Pa
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- Why The Qui
- What to Expe
- Clinical Refer

**PRODU**

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- SafeType™
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- Designer Appliances, ll (US)

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the muscular activity of gripping and clicking involved computer mouse use.

AS SE  
ON T

Our commitment is also to the next generation, to help those who need assistance and to try and ensure that no one needs assistance because they acquired impairment from the use of a computer mouse. To this end we are giving our "Clickless Web" technology free to all schools and educational facilities with a ".edu" website. Thereby there will be no need for children to click mouse buttons at school when they are performing the web research that is now an active part of the school curriculum. Scholl webmasters can contact [support@quillmouse.com](mailto:support@quillmouse.com) for more information on this.

Disability

The essence of what we have learnt, maintaining adequate oxygen levels in hands, is now being reflected by changing the Quill Mouse™ to E-Quill-AirO<sub>2</sub>bic™, a name we feel better communicates that which is important to all mouse users. This change will be reflected in new color options being available. We believe the issues are Black and White and so E-Quill-AirO<sub>2</sub>bic™ will be available in Onyx (Black) and Pearl (White). Deliveries of these products will commence at the end of September, 2004 and orders can be placed today if those color options are more attractive to you than the current "putty" colored mouse.

Relaxed muscles are more comfy and are less likely to tire so less likely to ache. If you do not ache you are less likely to injure and removing grip can remove "technique exclusion" for many computer users with disability.

The need for oxygen is universal and, by delivering it to your mousing hand as efficiently as your body is able to receive it, we provide Universally Assistive Technology that makes computers more accessible to all so affording the possibility of the opportunity to work, the use of computers for recreation or just staying connected with family and friends. The Internet is now as important as the phone once was for that purpose. If you have a disability, a functional impairment or just want to mouse more comfortably you will find products that look and work the exact same way for all: - PHYSICALLY EASIER & AEROBICALLY BETTER!

**Persons with Disability:** The Virtually Hands Free mousing system allows for conventional mousing techniques without the need for muscle activity forward of the elbow. This enables those with reduced dexterity of most kinds to be able to use the full features of their software, including and especially an easier and fuller Internet experience. Upper arm muscles are used to move so point the mouse, there is no need to grip or click. Some persons with tremors may find that they can avoid unintentional clicking, as they are now able to maneuver without fingers being in close proximity to mouse buttons.

**Persons with Functional Impairment (Injuries):** Whether as a result of on or off computer injury the Quill Mouse will help to alleviate the strain of computer mouse usage by untwisting the wrist and avoiding what is called Static Posture. This is when a constant grip is maintained, the excessive use of which is now reported as correlating with computer mouse related injuries. For those who have trouble clicking, or those receiving treatment for hand or wrist injuries, it is recommended that the Click-less Software be used along with the Grip-less Mouse (together called the Virtually Hands Free mousing system) so as to remove the need to grip or click. In many cases this can break the cycle of receiving therapy and then returning to work to perform a task, like mousing, that is likely to negate or delay the impact of the benefits of the treatment just received. We believe that with our products many people can heal sooner (see many unsolicited testimonies on our "Hall of No Pain" page) so saving thousands of visits for treatment and millions of dollars in Workers Comp and Healthcare costs, to say nothing of the relief from the misery that a chronic condition inflicts upon people's lives. In terms of computer usage: another cruel and wasteful irony is that it is those who work hardest for longest fall victim soonest and most often.

**Persons who work extensively with Computer Mice:** Some experts consider that using an ordinary mouse for more than 20 hours a week will likely lead to an injury within 2-5 years. Muscles that are tensed and then relaxed over short time intervals as when typing are considered as at less risk, as they are in what is called a Dynamic Posture. When muscles are

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tensed blood is squeezed out and they can require up to 50 times more oxygen. So only when a muscle relaxes can full blood flow resume and oxygen concentrations return to an "at rest" level. As with all physical work and in the absence of other factors that can affect some individuals, while Dynamic Postures can and do cause hands to tire, they are less likely to lead to injury if that posture were the only one employed while computing.

Muscles that are tensed and held tense for longer periods of time (maybe minutes or more; continuous and contiguously) are said to be in Static Posture. This is the posture that HAS TO BE USED to some degree in order to grip an ordinary mouse including other so-called "vertical mice". This "Non-Neutral" posture is the basis for an expectation of injury and that is supported by the observation that many computer users start with problems in their mousing arm.

As a result of mousing, flexibility in the wrist can be reduced and so the ability to twist the wrist decreases. The body then compensates by sticking out the elbow, which, due to a wrist twist limitation, mechanically re-orientates the hand so as to allow it to be placed flat on a palm down mouse. This "Postural Compensation" as it is called, in forcing the arm/elbow further away from the body, places extra "physical load" on the shoulder joint that can develop into conditions across the neck and shoulders that are not always associated with, but are often due to, mousing palm down.

Designer Appliances products are the ONLY mousing products that allow you to work in what ergonomists call "Functional Neutral". This is a posture under which you are able to work (Function) with muscles relaxed (Neutral) and is why they allow for better circulation to the small muscles of the hand and forearm that tire easily, can become damaged or are unable to cope with mice that need to be gripped and clicked. Get comfy with Quill Mouse™ (soon to be called E-Quill-AirO<sub>2</sub>bic™ mouse) the only aerobic grip-less mouse, with click-less software (for Mac or PC) and a mouse mat that works in concert with the material of our mouse feet to reduce friction.

Click [BUY NOW!](#) to look at product options and select your preferences.

For those who want to know more, explanations are provided under the various menu headings.

Please call Toll Free 1 866 WE-MOUSE (1 866 936 6873) with any questions you may have.

We are an International Business delivering solutions around the world so from outside of the US please call 1 516 747 5665.

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To see a 60 second video clip about the Quill Mouse™! Choose from the options below:

[Medical Minute MPG \(9.4 MB\)](#)

[Medical Minute Broadband RM \(4.7 MB\)](#) | [Medical Minute Modem RM \(637 K\)](#)

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