

# **QUARTERLY ACTIVITIES REPORT** for the period ended 30 September 2009

## **HIGHLIGHTS**

Technology	<ul> <li>Synergy Equities Group Limited changed its name to DataMotion Asia Pacific Limited, effective 01 Sep 09</li> </ul>
	Data-inCrypt <sup>®</sup> SMX secure registered email rebranded as DataMotion SecureMail
	<ul> <li>DataMotion Asia Pacific DataCentre to be transformed into a high-end "boutique" co-location facility</li> </ul>
	<ul> <li>DataMotion Intelligent Information Transport platform integrates managed file transfer and electronic forms with secure email</li> </ul>
	the Company (through Data-inCrypt® Pty Ltd) was appointed Asia Pacific Master Distributor for DataMotion, Inc. (USA-based)
	> sales thrust into the Asia Pacific region begins
Corporate	> Extraordinary General Meeting held on 14 Aug 09
	> appointment of joint Company Secretary
	> Full Year Statutory Accounts for the year ended 30 June 2009 released
	> 290,300,000 shortfall listed options placed further to the Company's pro-rata non-renounceable rights issue which closed on 29 May 2009

#### **OVERVIEW**

The quarter saw the Company change its name to DataMotion Asia Pacific Limited as the final stage in the transitioning of its business model to reflect the emphasis on and commitment to the DataMotion platform in the Asia Pacific region (the ASX announcement of 31 Aug 09 refers). Coinciding with this change, Data-inCrypt® SMX secure registered email was rebranded as DataMotion SecureMail as part of the global unification of the DataMotion brand.

As shareholders are aware, the Company has not been isolated from the current global financial situation and, notwithstanding its best efforts in marketing, restrictions in capital expenditure have lead to the significant lengthening of the sales cycle within the large organisations that the Company has been dealing with in regard to secure email. A recent Gartner, Inc. (www.gartner.com) survey\*, undertaken worldwide, showed that 42% of CIOs (Chief Information Officers) cut their IT (information technology) budgets in the first quarter of calendar year 2009, resulting in head count reductions and significant delays in capital expenditure throughout all industry sectors. This has meant that sales revenues from the Company's primary target market are taking longer to be realised than originally anticipated, and the timeframe for the lifting of spending restrictions cannot accurately be estimated at this point in time.

These delays, combined with a decreasing level of transactional income continue to impact on the Company. When compared to the previous quarter, the Company's cash receipts decreased by 44% however net operating payments decreased by 49% (the ASX announcement of 31 July 09 refers).

Subsequent to the end of the quarter, the Company completed the placement of 139,803,019 Fully Paid Ordinary Shares at an issue price of 0.15 cents per share to sophisticated and private investors to raise AU\$209,704 (the ASX announcement of 21 Oct 09 refers). Furthermore, the Company is currently undertaking a fully underwritten non-renounceable rights issue to raise approximately AU\$1,138,489, on the basis of two (2) fully paid New Shares for every three (3) fully paid Shares held at a price of \$0.0015 (0.15 cents) for every New Share, with one (1) free Attaching Option in the same class as those currently listed under the ASX code DMNOA for every two (2) New Shares subscribed (the ASX announcements of 23 Oct 09 refer).

As at the date of this report, the Company's cash position stands at AU\$345,898 and trade debtors total AU\$15,559.

The Company's wholly owned subsidiary Synergy Business Solutions Australia Pty Ltd is planning to transform the DataMotion Asia Pacific DataCentre into a high-end "boutique" co-location facility, which will cater for up to 30 racks of mission-critical information technology infrastructure for a select client base, and to that end is currently negotiating with a number of organisations including two major telecommunications providers. This arrangement will provide Synergy Business Solutions Australia Pty Ltd with significant ongoing monthly revenue (the ASX announcement of 04 Sep 09 refers).

Building on DataMotion's existing secure email platform, the DataMotion Intelligent Information Transport (IIT) platform provides a simple and effective workflow solution that allows companies to communicate and collaborate securely with colleagues, business partners and customers by leveraging existing messaging infrastructure, middleware and applications. The DataMotion IIT platform has three products at its core, being SecureMail, FileTransfer and eForms (the ASX announcement of 01 Sep 09 refers).

Future updates to the platform will include enhanced tracking capabilities, a new "Send Secure" button which uses the latest technologies to provide greater functionality and flexibility, and the technical integration of the DataMotion platform with technology from Pervasive Software, Inc. (www.pervasive.com), which will allow the platform to expand the breadth of enterprise applications, protocols, and backend systems that it can integrate with (the ASX announcement of 21 Jul 09 refers).

The Company commenced its sales thrust into the Middle East and the Asia Pacific during the quarter, conducting high level talks with representatives of Government and private institutions from the Middle East (Abu Dhabi), Malaysia, Singapore and Indonesia (the ASX announcement of 14 Aug 09 refers).

Further to the Company's pro-rata non-renounceable rights issue which closed on 29 May 2009, the Company placed 290,300,000 shortfall listed options pursuant to the prospectus to raise a total of AU\$290,300. As approved by shareholders at the Company's Extraordinary General Meeting held on 14 August 09, the Company's Managing Director, Mr Ronald Moir, subscribed for 100,000,000 listed options from the shortfall, at a cost of AU\$100,000 and on the same terms as the rights issue (the ASX announcement of 07 Sep 09 refers).

<sup>\*</sup> source: http://www.gartner.com/it/page.jsp?id=1009412

## Glossary in brief

DataMotion Asia Pacific is DataMotion Asia Pacific Limited

(formerly Synergy Equities Group Limited)

the Company is DataMotion Asia Pacific Limited

SYNERGY Australia is Synergy Business Solutions Australia Pty

Ltd, DataMotion Asia Pacific's wholly

owned subsidiary

Data-inCrypt® Pty Ltd, DataMotion Asia

Pacific's wholly owned Subsidiary

Data-inCrypt® SMX is Data-inCrypt® SMX secure registered email

now rebranded as DataMotion SecureMail

the Group is DataMotion Asia Pacific, SYNERGY

Australia and Data-inCrypt®

**ASX** is Australian Securities Exchange

DMN is DataMotion Asia Pacific's ASX codeDMNOA is DataMotion Asia Pacific's listed option

ASX code

## **REVIEW OF OPERATIONS:**

#### **TECHNOLOGY**

## Update - DataMotion Vice President's Tour of Australia with SMX

The Company provided an update on Mr R J ("Bob") Janacek's, one of the world's foremost authorities on secure messaging and DataMotion, Inc.'s (www.datamotion.com) Executive Vice President, Founder and Chief Technical Officer, tour of Australia with Data-inCrypt<sup>®</sup> Directors on behalf of SMX secure registered email during the week commencing 22 Jun 09 (the ASX announcement of 01 Jul 09 refers).

## SMX works with Local Government Associations Nationwide

The Company announced that Data-inCrypt® had completed the first half of a nationwide strategy for the supply of SMX secure registered email "hosted service" licenses to Local Governments nationwide through their respective Local Government associations (the ASX announcement of 15 Jul 09 refers).

## New functionality enhances SMX platform

The Company provided an update on forthcoming enhancements to the SMX / DataMotion software platform (the ASX announcement of 21 Jul 09 refers).

DataMotion, Inc. have been working closely with Gartner, Inc (www.gartner.com) within the context of large file transfer and data governance - DataMotion's messaging and positioning is predicated on the approach that secure email is a subset of business information exchange.

## Data-inCrypt® appointed Asia Pacific Master Distributor

The Company announced that Data-inCrypt® Directors had returned to Australia following their completion of intensive technical workshops and strategic discussions in the offices of DataMotion, Inc. in New Jersey, USA. Furthermore, the Company was pleased to announce that, as a result of discussions with DataMotion's Executive Team, Data-inCrypt® had been appointed DataMotion's Master Distributor in the Asia Pacific region (the ASX announcement of 28 Jul 09 refers).

This appointment enhances the strategic alliance between DataMotion (formerly CertifiedMail.com, Inc.) and Data-inCrypt<sup>®</sup> (the ASX announcement of 31 Jan 08 refers) by providing a formal structure for the selection and appointment of business and technology partners in the region. This in turn will assist Data-inCrypt<sup>®</sup> with the penetration of DataMotion's technology suite in Australia and the Asia Pacific region at large by allowing it to leverage the existing customer base and market presence of these partners.

## SMX sales thrust into Asia begins

The Company advised that Data-inCrypt<sup>®</sup> had commenced its secure email sales thrust into the Middle East and the Asia Pacific. Data-inCrypt<sup>®</sup> Directors had conducted high level talks with representatives of Government and private institutions from the Middle East (Abu Dhabi), Malaysia, Singapore and Indonesia (the ASX announcement of 14 Aug 09 refers).

## SMX rebranded DataMotion SecureMail

The Company advised that Data-inCrypt<sup>®</sup> SMX secure registered email had been rebranded as DataMotion SecureMail. This branding mirrors that of DataMotion, Inc. and further serves to unify the DataMotion brand globally in conjunction with the Company's new website at www.datamotion.asia (the ASX announcement of 01 Sep 09 refers).

## **DataMotion Intelligent Information Transport platform**

The Company released an introduction to DataMotion's "Intelligent Information Transport" (IIT) platform, an ondemand or on-site service offering that enhances business communications by enabling companies to move, track, filter, audit, manage and secure sensitive information (the ASX announcement of 01 Sep 09 refers).

## **Introducing DataMotion Asia Pacific Presentation**

The Company released its Introducing DataMotion Asia Pacific sales & marketing presentation for the interest of shareholders, potential clients and the market at large (the ASX announcement of 03 Sep 09 refers).

## **Trading Update**

The Company released a trading update on the activities of the Company and its wholly owned subsidiaries, Data-inCrypt<sup>®</sup> Pty Ltd and Synergy Business Solutions Australia Pty Ltd (the ASX announcement of 04 Sep 09 refers).

## **CORPORATE**

## Notice of Extraordinary General Meeting / Proxy Form

The Company released its Notice of Extraordinary General Meeting including Proxy Form (the ASX announcement of 07 Jul 09 refers).

## **Appointment of Joint Company Secretary**

The Company announced the appointment of its Group Accountant, Ms Vicky Oui, to the position of joint Company Secretary (the ASX announcement of 13 Jul 09 refers).

## 4th Quarter Activities Report for the Period Ended 30 Jun 09

The Company released its 4th Quarter Activities Report for the period ended 30 Jun 09 (the ASX announcement of 31 Jul 09 refers).

## 4th Quarter Cash Flow Report for the Period Ended 30 Jun 09

The Company released its 4th Quarter Cash Flow Report for the period ended 30 Jun 09 (the ASX announcement of 31 Jul 09 refers).

## Extraordinary General Meeting - Amendment to Resolution

The Company advised a minor amendment to resolution 1 concerning the proposed change of the Company's name. Arising out of the Board's recent strategic discussions with DataMotion, Inc., culminating in the Company's subsidiary Data-inCrypt® Pty Ltd being appointed as DataMotion, Inc.'s master distributor in the Asia Pacific region (the ASX announcement of 28 Jul 09 refers), the Board considered that the name DataMotion Asia Pacific Limited more appropriately reflected the Company's focus rather than DataMotion Limited (the ASX announcement of 04 Aug 09 refers).

## **Results of Extraordinary General Meeting**

The Company released the results of its Extraordinary General Meeting (the ASX announcement of 14 Aug 09 refers).

## Appendix 3B – Issue of Options Pursuant to Employee Option Incentive Scheme

The Company released an Appendix 3B – Issue of Options Pursuant to Employee Option Incentive Scheme (the ASX announcement of 19 Aug 09 refers).

## Synergy Equities Group Limited - Change of Name

The Company advised that, as approved by shareholders at the recent Extraordinary General Meeting (the ASX announcements of 07 Jul 09, 04 Aug 09 & 14 Aug 09 refer), the Company's name would change to DataMotion Asia Pacific Limited as of Tue 01 Sep 09 (the ASX announcement of 31 Aug 09 refers).

## Appendix 4E – Preliminary Final Report for the Year Ended 30 Jun 09

The Company released its Appendix 4E – Preliminary Final Report for the year ended 30 Jun 09 (the ASX announcement of 31 Aug 09 refers).

#### **Overview of Financial Results**

The Company referred to the Preliminary Final Report (Appendix 4E) for the year ended 30 Jun 09 and made a number of observations for the benefit of Shareholders and the market (the ASX announcement of 31 Aug 09 refers).

#### DataMotion Asia Pacific Limited - Website Address

The Company advised that its new website was available for viewing at www.datamotion.asia (the ASX announcement of 01 Sep 09 refers).

## **Latest Investor Presentation – September 2009**

The Company released its latest Investor Presentation (the ASX announcement of 02 Sep 09 refers).

## **Placement of Shortfall Listed Options**

The Company announced the placement of additional 290,300,000 shortfall listed options further to its pro-rata non-renounceable rights issue that closed on 29 May 09 (the ASX announcement of 03 Jun 09 refers) and raised a total of \$290,300.

As approved by shareholders at the Company's Extraordinary General Meeting held on 14 August 09 (the ASX announcements of 07 Jul 09 & 14 Aug 09 refer), the Company's Managing Director, Mr Ronald Moir, subscribed for 100,000,000 listed options from the shortfall, at a cost of AU\$100,000 and on the same terms as the rights issue (the ASX announcement of 07 Sep 09 refers).

#### **Top 20 Optionholders**

The Company announced the names of the top 20 largest optionholders of its listed options expiring 06 May 13 (the ASX announcement of 09 Sep 09 refers).

## Full Year Statutory Accounts for the Year Ended 30 Jun 09

The Company released its full year statutory accounts for the year ended 30 Jun 09 (the ASX announcement of 30 Sep 09 refers).

## TECHNOLOGY (matters subsequent to 30 September 2009)

No matters subsequent.

## **CORPORATE** (matters subsequent to 30 September 2009)

#### **Share Placement**

The Company completed a share placement comprising 139,803,019 Fully Paid Ordinary Shares at an issue price of 0.15 cents per share to sophisticated and private investors. The share placement represented 12.28% of the Company's enlarged share capital, ranked pari passu in all respect with the existing ordinary shares and was within the limits set out in the ASX Listing Rules, being issued under the Company's 15% placement capacity (the ASX announcement of 21 Oct 09 refers).

#### 2009 Annual Report

The Company released its 2009 Annual Report (the ASX announcement of 21 Oct 09 refers).

## **Fully Underwritten Rights Issue**

The Company announced that it has entered into an agreement with Cunningham Peterson Sharbanee Securities Pty Ltd to fully underwrite a non-renounceable Rights Issue to all eligible shareholders. The Rights Issue will be an offer of two (2) fully paid New Shares for every three (3) fully paid Shares held, at a price of \$0.0015 (0.15 cents) for every New Share subscribed, with one (1) free Attaching Option in the same class as those currently listed under the ASX code DMNOA for every two (2) New Shares subscribed. The options have an exercise price of \$0.01 (1 cent) and expire on 06 May 2013.

The Rights Issue will raise approximately AU\$1,138,489 before costs. The capital raised will be used to fund the transformation of the DataMotion Asia Pacific DataCentre into a "boutique" high-end hosting facility and the search for a profitable acquisition target which will leverage the Company's existing technologies and DataCentre.

The offer of New Shares and Attaching Options will be made pursuant to a rights issue Prospectus, which was lodged with ASIC and released to ASX on 23 October 2009 (the ASX announcements of 21, 23 & 27 Oct 09 refer).

## **Notice of 2009 Annual General Meeting**

The Company released its Notice of 2009 Annual General Meeting including Proxy Form (the ASX announcement of 21 Oct 09 refers).

#### **Section 708A Notice**

The Company released a Section 708A Notice in relation to the placement of 139,803,019 Fully Paid Ordinary Shares in the Company (the ASX announcement of 21 Oct 09 refers).

#### Form 603 – Notice of Initial Substantial Holder

The Company released a Form 603 – Notice of Initial Substantial Holder (the ASX announcement of 22 Oct 09 refers).

## **EXPENDITURE**

The Proforma Statement of Consolidated Cash Flows is provided in a separate report.

Dated this 28th day of October 2009.

Signed on behalf of the Board of DataMotion Asia Pacific Limited

Ronald Moir

Managing Director

DATAMOTION ASIA PACIFIC LIMITED