

2. *Number of devices*

The Application covers only two experimental units, one Demo 1 unit, and one Demo 2 unit, however the Applicant intends to demonstrate substantially more unauthorized units – at least six. The Applicant's Chief Executive Officer stated publicly on October 30, 2018, less than a week before the Application was signed, that demonstrations will occur simultaneously at numerous locations within the requested venue:

This year, again, we will be partnering with Dialog at CES, where the focus will be on demonstrating the latest achievements in the WattUp technology as discussed earlier... We will also be demonstrating a number of actual customer products, both in our booth and in customer booths around the show. (see page 4 of transcript of investor call at https://content.equisolve.net/_1f7748756477e236d29067eb5bad3649/energous/db/239/1971/transcript/11-1-18_Energous_20181030_430PME.pdf)

Therefore, the Applicant intends to demonstrate at least one receiver/transmitter pair (or at least two devices) at Dialog Semiconductor's suites in The Venetian hotel, and at least two receiver/transmitter pairs (or at least four devices) at other "customer booths."

For the two foregoing reasons, the Application is defective and should be denied. Even if the defects are eventually cured, I urge the Commission to constrain transmit power in the STA to Part 15 limits, because the excessive level of requested power, 30W ERP, is not necessary for demonstrating "WPT concepts," the Application's stated purpose (since all electromagnetic transmissions, including all under Part 15, transmit power wirelessly). I also urge the Commission to have field agents posted at the CES suites and booths assigned to the Applicant and its known affiliates, such as Dialog Semiconductor, Myant, Chipolo, and any other announced in press releases prior or during the CES, at all times during exhibit hours in order to monitor and verify the

Applicant's compliance with the terms of the STA and Commission rules. I believe the Applicant's extensive record of misleading the public and disregarding the rules covering marketing and operating equipment that has not yet been authorized justifies such extra effort.

Respectfully submitted,

By: /s/

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Dated: December 3, 2018