

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
Energous Corporation) File No.: 1890-EX-ST-2018
Application for Special Temporary Authorization)

**RESPONSE TO INFORMAL OBJECTION TO
APPLICATION FOR SPECIAL TEMPORARY AUTHORIZATION**

Energous Corporation (“Energous”) files this response (“Response”) to the informal objection (“Objection”)¹ submitted to the Federal Communications Commission (“Commission”) by Todor Mitev (“Objector”) on December 3, 2018 pursuant to Section 5.95 of the Commission’s rules.² The Objector requests the Commission to deny Energous’ pending Application (“Application”) for an experimental special temporary authorization (“STA”)³ to demonstrate certain wireless power transfer (“WPT”) devices (“Devices”) at the International Consumer Electronics Show (“CES”) between January 7 and January 11, 2018. Energous filed the STA Application because the WPT Devices that Energous intends to demonstrate have not yet been equipment authorized.⁴ For the reasons set forth herein, the

¹ Opposition to Application for Special Temporary Authorization filed by Todor Mitev, FCC File No. 1890-EX-ST-2018 (filed Dec. 3, 2018) (“Objection”).

² 47 C.F.R. § 5.95.

³ *See* 47 C.F.R. § 5.61; *see also* 47 C.F.R. § 5.3(g) (expressly permitting experimental licenses to be used for “demonstration of equipment to prospective purchasers by persons engaged in the business of selling radio equipment”).

⁴ As noted herein, the Commission has granted equipment authorizations for other Energous transmitters that are substantially similar to the Devices that Energous intends to demonstrate at CES. In addition, Energous will be demonstrating other Devices that have not yet been equipment authorized by the Commission but nevertheless comply with existing Commission rules. As a result, these Devices can be operated at a tradeshow such as CES pursuant to Section 2.805(d) of

Commission should dismiss the Objection and grant the requested STA.

The Objector claims that the frequency range requested (902-928 MHz) by Energous in its STA Application is insufficient for Energous' stated purpose of operation. He notes that Energous stated that its Devices, whether "transmitters" or "receivers," use custom Bluetooth transceivers, and Bluetooth operates in the 2.4 GHz ISM band.⁵ Equipment that complies with Part 15 of the Rules, such as Bluetooth transmitters, may be operated prior to equipment authorization if they are demonstrated at a trade show or an exhibition under conditions specified in Section 2.805 of the FCC Rules. These conditions include specific labeling requirements set forth in Section 2.805. Accordingly, Energous has indicated in its Application that the Devices will be labelled with the Phrase: "This device has not been authorized as required by the rules of the Federal Communications Commission. This device is not, and may not be, offered for sale or lease, or sold or leased, until authorization is obtained." Thus, Energous is permitted to operate a Bluetooth transmitter for demonstration purposes at CES without a specific experimental license even if the device has not been equipment authorized.

The Objector also states that the Application covers only two experimental units, one "Demo 1 unit" and one "Demo 2 unit". He claims that Energous intends to demonstrate substantially more unauthorized units – at least six.⁶ Energous already has certified equipment under both Part 15 and Part 18 of the FCC Rules.⁷ No experimental license is required to operate Devices that already have been equipment authorized. In addition, as set forth above, Devices

the Commission's Rules and thus do not require special temporary authorization. See 47 C.F.R. § 2.805(d).

⁵ See Objection at 1.

⁶ See Objection at 2.

⁷ For example, Energous has certified equipment under the following FCC IDs: 2ADNG-MS300, 2ADNG-MS300A, 2ADNG-NF130, 2ADNG-NF230, 2ADNG-MT100.

designed to comply with Part 15 and/or Part 18 of the FCC Rules may be operated prior to equipment authorization for demonstrations at a trade show or an exhibition under the conditions specified in Section 2.805 of the FCC Rules.

Finally, the Objector urges 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.’”⁸ The Objector incorrectly asserts that the Application requests 30 W as the maximum ERP. To the contrary, the Application requests a maximum of 10 W ERP. Further, the WPT characteristics of the Devices that Energous plans to demonstrate at the CES show are designed to comply with Part 18 of the Rules, consistent with other similar WPT equipment that Energous has already certified under Part 18 of the Rules. Thus, the power levels permitted under Part 15 are irrelevant to this Application. Accordingly, the Objector’s argument is without merit because it is factually and legally inaccurate. It should therefore be disregarded.

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⁸ See Objection at 2.

For the reasons set forth herein, the Objection should be summarily dismissed by the Commission, and Energous requests the Commission to timely grant the STA Application to enable Energous to demonstrate its innovative WPT Devices and technology at CES.

By: /s/ Daniel Lawless_____

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