

JONES DAY

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July 24, 2015

BY ELECTRONIC SUBMISSION

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Escape Dynamics, Inc., Request for Confidential Treatment
Experimental License Application ELS File No. 0474-EX-PL-2015**

Dear Ms. Dortch:

Escape Dynamics, Inc. (“EDI”), through its attorneys, respectfully requests that the narrative attachment to the above-referenced application be given confidential treatment and be withheld from public inspection pursuant to section 0.459 of the rules of the Federal Communications Commission (“Commission”), 47 C.F.R. § 0.459.

Pursuant to the Freedom of Information Act (“FOIA”), public disclosure is not required for “trade secrets” or “commercial or financial information” that is “privileged and confidential.”¹ The commercial information contained herein falls squarely within this exemption from public disclosure.

Pursuant to Section 0.459(b) of the Commission's Rules, 47 C.F.R. § 0.459(b), the following information is provided in support of the request for confidential treatment. Confidential treatment is sought for the narrative attachment to the application, including all design and operational details regarding EDI’s use of an experimental microwave system in order to perform testing of advanced wireless energy transfer designs, technologies, and operations.² The Commission proceeding in which the information is submitted is EDI’s application for experimental license, File No. 0474-EX-PL-2015.³ The application contains highly sensitive

¹ 4 U.S.C. § 552(b)(4); *see also* 47 C.F.R. § 0.457(d).

² See 47 C.F.R. § 0.459(b)(1).

³ See 47 C.F.R. § 0.459(b)(2).

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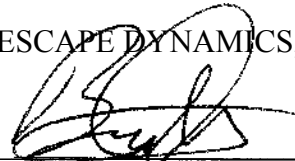
proprietary commercial and technical information related to EDI's research and development process.⁴ The field of wireless energy transfer is in its infancy and new techniques and applications represent crucial competitive differentiators in funding availability and partnership opportunities.⁵ Release of this information could cause EDI substantial competitive harm by revealing to competitors the specific details of its use of wireless energy transfer technologies, methods of operation, and avenues of research and development.⁶

EDI has protected and will continue to protect this information as proprietary. The development details have only been divulged within EDI to personnel with a direct need to know, and have not been disclosed to outside consultants unless privilege attaches and confidentiality is agreed.⁷ EDI has not disclosed details regarding this testing to third parties and understands that these details are not publicly available.⁸ EDI requests that the subject information not be made routinely available for public inspection at any time.⁹

Finally, the public interest will be served by granting this request for confidential treatment. It is in the public interest that licensees making considerable investment in developing new technologies and techniques have the ability to keep the details of such research secret from competitors. If the Commission denies this request for confidential treatment, EDI withdraws the attached information.

Sincerely,

ESCAPE DYNAMICS, INC.



Bruce A. Olcott
Jones Day
51 Louisiana Avenue
Washington, D.C. 20001

Its Attorneys

⁴ See 47 C.F.R. § 0.459(b)(3).

⁵ See 47 C.F.R. § 0.459(b)(4).

⁶ See 47 C.F.R. § 0.459(b)(5).

⁷ See 47 C.F.R. § 0.459(b)(6).

⁸ See 47 C.F.R. § 0.459(b)(7).

⁹ See 47 C.F.R. § 0.459(b)(8).