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California Energy Commission  
Dockets Office, MS-4  
1516 Ninth Street  
Sacramento, CA 95814-5512



Subject: Docket No. 12-EPIC-01  
Comments on Intellectual Property Issues of the EPIC Program

To the California Energy Commission:

Thank you for the opportunity to comment on the Electric Program Investment Charge (EPIC) Proposed Triennial (2012-2014) Investment Plan.

My name is Jeffrey G. Sheldon. I am the founding partner of the intellectual property law firm of Sheldon, Mak & Anderson in Pasadena, California. For the past twenty years, our firm has specialized in work with the industrial and research community, including Investor Owned Utilities, on complex intellectual property issues.

I have reviewed the "IP Rights under EPIC" section of the Proposed Triennial Investment Plan (pages 179-180). While generally this section is clear, one statement should be clarified further:

"5. Royalties will not be collected unless statutory changes are made to allow it. The Energy Commission collects royalties under its Public Interest Research Program (PIER) because of the authority granted by Public Resources Code Section 25620.4. This authority is specific to PIER. The Energy Commission does not currently have the legal authority to collect royalties under EPIC."

Does this mean that the entity that owns the IP, funded under EPIC, can collect royalties but the Energy Commission will not? Or does it mean that both the entity and The Energy Commission will not collect royalties?

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Please do not hesitate to contact me at (626) 796-4000 if can be of service.

Sincerely,



Jeffrey G. Sheldon