To: LB BIE[lb@bienergy.co.il]
Bcc: Cooper, Geoffrey[cooper.geoff@epa.gov]
From: Scalise, Laura
Sent: Mon 11/13/2017 8:53:04 PM
Subject: FW: Water Gen NDA and MTA
NDA with Water Gen 10.03.17 gc+ls clean version.docx
Water Gen MTA CLEAN 17-10-23 ls.docx
Water Gen MTA CLEAN with comments 17-10-04 ls.docx
Water Gen CRADA Final Draft 270917 ls 2017-10-23.docx

Good morning, Liat.

How are you doing with the marked up CRADA? Would you like to have a phone call to discuss any questions you might have? I'm pretty sure you are 7 hours ahead of us, so when I get to my office at 9:30am it is 4:30pm for you.

Please let me know if you wish to discuss the CRADA. The "powers that be" are getting restless.

Thank you! - Laura

"Everything should be made as simple as possible,
but not simpler." - Albert Einstein

Laura Scalise

Patent Attorney

USEPA-OGC

Office: 202-564-8303

iPhone: 202-839-1488 (for telework)

From: Scalise, Laura

Sent: Monday, October 23, 2017 5:31 PM
To: 'LB BIE' <lb@bienergy.co.il>
Cc: Cooper, Geoff <Cooper.Geoff@epa.gov>; Bauer, Sarah <bauer.sarah@epa.gov>
Subject: RE: Water Gen NDA and MTA

Hello Liat. I have not forgotten you!

Attached please find:

Clean copy of the NDA dated October 3. You have seen this already.

Clean copy of the MTA dated today, October 23.

"Clean" copy of the MTA with comments dated October 4. You have seen this already, too.

Marked-up file of the CRADA dated today, October 23.

I appreciate your offer to discuss the NDA and MTA. If you are OK with these documents, so am I.

Sarah Bauer, our Technology Transfer Coordinator will send you the finalized copy of the NDA and MTA for Water Gen's signature. She first needs to log the two documents into her data base. You will get these from her shortly.

The CRADA will need some work. Along with the edits, I have included detailed comments, so please take note of them. I would be very happy to discuss the CRADA with you over the phone, once you had a chance to look at it.

I am in the office 9:30 every morning – except this Friday. I'm not sure what time that is in Israel, but I'm guessing that would be around 5:30 in the afternoon there? The US is on Daylight Savings time, which means 9:30 AM is actually 8:30 AM real time.

Just one document to go. I look forward to your reply.

- Laura

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Laura Scalise

Patent Attorney

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From: LB BIE [mailto:lb@bienergy.co.il]
Sent: Monday, October 23, 2017 5:06 AM
To: Scalise, Laura <Scalise.Laura@epa.gov>
Cc: Cooper, Geoff <Cooper.Geoff@epa.gov>
Subject: RE: Water Gen NDA and MTA

Dear Laura,

Following up on my email below, could the two final drafts of the NDA and MTA be signed ?

Could we have a short call if needed later today, in the event your comments require further final elaboration ?

Kindly advise

Regards

Liat

From: LB BIE [mailto:lb@bienergy.co.il]
Sent: Thursday, October 19, 2017 3:40 PM
To: 'Scalise, Laura' <Scalise.Laura@epa.gov>
Cc: 'Cooper, Geoff' <Cooper.Geoff@epa.gov>
Subject: RE: Water Gen NDA and MTA

Dear Laura,

Following my review of the final drafts of the NDA and the MTA, I see no further issues, though you have lefts comments, which I wonder would you wish to discuss further ?

Regards

Liat

From: Scalise, Laura [mailto:Scalise.Laura@epa.gov]

Sent: Monday, October 16, 2017 8:50 PM
To: LB BIE <lb@bienergy.co.il>
Cc: Cooper, Geoff <Cooper.Geoff@epa.gov>
Subject: RE: Water Gen NDA and MTA

Hello Liat - welcome back!

I have not yet reviewed the CRADA. I just finished two applications that needed to be filed by tomorrow, so I'm able to give the CRADA my attention now. I will send comments as soon as I finish my review.

Hopefully we can put the MTA and Non-Disclosure Agreement into effect and move forward with the front end of the project.

- Laura

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but not simpler." - Albert Einstein

Laura Scalise

Patent Attorney

WJCN 7426-S

Office: 202-564-8303

iPhone: 202-839-1488 (for telework)

From: LB BIE [mailto:lb@bienergy.co.il]
Sent: Monday, October 16, 2017 12:54 PM
To: Scalise, Laura <Scalise.Laura@epa.gov>

Cc: Cooper, Geoff <Cooper.Geoff@epa.gov>
Subject: RE: Water Gen NDA and MTA

Dear Laura,

Thank you for providing the drafts of the MTA and NDA.

I did not see any email regarding the CRADA referred to in your email below….

Kindly advise.

Regards

Liat

From: Scalise, Laura [mailto:Scalise.Laura@epa.gov]
Sent: Thursday, October 05, 2017 12:44 AM
To: BIE <lb@bienergy.co.il>
Cc: Cooper, Geoff <Cooper.Geoff@epa.gov>
Subject: Water Gen NDA and MTA

Hello Liat. I'm returning these two agreements for your review.

I am providing the NDA as a clean copy. Please make note of two comments:

1. I added one definition to the document – "Confidential Information." I took the definition

from the MTA, as you had provided it.

2. The word "improvement," as it appears in the above definition, refers to any improvement that is disclosed by Water Gen to EPA. The use of the word "improvement" here cannot be confused with an improvement that may be patentable that was created under the CRADA. New inventions and improvements created under the CRADA are called "Subject Inventions" and are covered by the terms in Section 5 of the CRADA.

For the MTA, I've included the marked-up version along with an almost-clean version, that has some comments left in for context. Please note that in section 10 or the MTA, I've again deleted the indemnity clause. EPA cannot indemnify any party (potentially an open-ended obligation), in compliance with the Anti-deficiency Act. EPA is limited to the conditions of the Federal Torts Claims Act.

I will get to the CRADA in the next day or two.

Have a pleasant holiday! - Laura

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but not simpler." - Albert Einstein

Laura Scalise

Patent Attorney

WJCN 7426-S

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