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Version 1, 19 April 2006

California Clean Tech Open Eligibility and Rules

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Clean Tech

All entries must meet our definition of clean technology, as covered by our five category definitions. Each entry needs to be categorized under one of the categories, although California Clean Tech Open (CCTO) organizers reserve the right to re-categorize entries as they see fit. The category definitions are the following:

- **Energy Efficiency**

The Energy Efficiency category comprises technology that can significantly reduce wasted energy, driving toward the common goal of saving the equivalent of "a power plant a year." Examples include advanced light sources, solid-state power flow controllers, and wide area measurement systems.

- **Smart Power**

The Smart Power category encourages the link between IT and electricity delivery, building an "energy web" that gives consumers greater control over when and how their energy is delivered and used. Examples include energy portals with real-time pricing information.

- **Renewable Energy**

The Renewable Energy category includes innovations that increase the portion of California energy produced from widely distributed, low-emission power sources. Examples include technology that makes fuel cells and solar power appealing to the mass market.

- **Transportation**

The Transportation category encompasses technologies that improve mileage, reduce air pollution, and minimize dependence on gasoline. Examples include more efficient batteries, affordable fuel cells, and readily available flexible fuel vehicles.

- **Water Management**

The Water Management category focuses on improving the availability of clean water for sustainable growth and improved public health, as well as conservation and efficiency. Examples include advanced water treatment techniques and water-wise appliances.

California Based

Contestants from anywhere may apply, as long as, in the event you win a prize, you establish your primary place of business in California. For corporations or other organizations, your primary place of business must be located in California. It is acceptable if your corporation or LLC is filed with another state, such as Delaware.

Teams

Contestants must participate on teams of two or more people; individuals are not eligible to compete on their own. There is no maximum number of people on a team. Team members can be added or removed until the business plan is submitted by August 31th, 2006. All contestants must be United States residents or citizens, or a legal alien (e.g. F1, H1 visas).

Team Leaders

Each team must have a team leader, who will be responsible for:

- ensuring the team incorporates or becomes an LLC in the event the team wins an award
- representing all aspects of the team and the team's submission until a legal entity is created. (The Competition organizers will stay out of intra-team conflicts; the team leader has final word about who's on & off the team, the team's project, etc.)

Team leaders must be at least 18 years of age.

More Than One Team/More Than One Entry

For Competition applications, contestants may serve on multiple teams, but a single contestant can be the team leader on only one team. For teams that are in the final round, there can be no contestant overlap.

Taxability

All winnings are taxable and the winners must complete a form W-9 prior to payment.

Start-ups and Funding Limits

All entries must be a start-up that has received less than \$200,000 in funding during the past 18 months. Grants earmarked for research expenditures do not count towards the \$200,000 limit. Additionally, each team must pledge that they will not exceed \$200,000 in funding before the Competition winner is announced on September 29, 2006. A start-up can be a group of people who have formed a team to enter the contest. However, a legal entity (corporation, LLC, or similar) must be created prior to receiving any prizes, and any such legal entity must have an ownership structure typical of an independent start-up.

Our prizes are not intended to subsidize corporate or university projects. The amount and source of any secured capital arrangements should be clearly identified in the team's executive summary.

Intellectual Property Rights Owners

Before submitting your business we urge your team to confirm with appropriate advisors or legal counsel that any intellectual property described in your plan is protected; i.e., by appropriate intellectual property filings, notices, (patent, copyright, etc) by the owning institution and/or individuals. We also recommend that you determine in advance whether your plan describes a technology, invention, copyrightable work or other intellectual property owned by your employee or university.

If you are not sure about the legal status of your own or third party intellectual property or any other aspect of your plan, we urge you to seek independent legal counsel.

Non-disclosure

If you have valuable intellectual property, please seek legal advice prior to submitting your application. The judges, sponsors, partners, and CCTO organizers will not enter into a non-disclosure agreement with any entrant and by entering the competition, each entrant will acknowledge that information provided by such entrant is at risk of disclosure and will agree to release and hold harmless the judges, sponsors, partners, and CCTO organizers from any claim arising out of any disclosure of information provided by such entrant. Each entrant will also agree and acknowledge that the judges, sponsors, partners, and CCTO organizers will have the right to copy and distribute information provided by the entrant for the purposes of evaluating such materials during the competition.

Exclusions

You may not apply for the competition if you are a Competition volunteer, judge, category expert or a Competition adviser, or you are in any other way involved with the organization or operation of the competition. Immediate family members of the aforementioned people are also ineligible to compete.

People who are affiliated with the Competition's sponsors and/or partners may be eligible to participate. Contact the CCTO organizers if you have an eligibility question.

Disqualification

The judging panel of the California Clean Tech Open reserves the right to disqualify any entry that in its judgment violates the letter or the spirit of the Competition Guidelines, processes and rules of the California Clean Tech Open Competition, and its decisions are final and binding.

Competition Liability and Awards

Entrants acknowledge that the judges, sponsors, partners, and CCTO organizers intend to carry out a fair and open competition, but are volunteering their services for the benefit of the Competition with no expectation of incurring liability by virtue of such participation. As such, each entrant, by entering the Competition, will agree and acknowledge that the activities of the Competition and all decisions made in the Competition are within the sole discretion and determination of the judges, sponsors, partners and other CCTO organizers and the entrant will release and hold harmless all judges, sponsors, partners and other CCTO organizers from any claims, liabilities, damages, demands or actions, of any kind or nature, by any entrant arising out of any of the activities of the competition, including, without limitation, decisions on Competition winners and disqualifications, regardless of whether such actions are willful or negligent.

Additional Rules

Situations which arise not contemplated by the above rules will be resolved by the Executive Council of the California Clean Tech Open and their decision will be final. The Executive Council reserves the right to amend the rules without notice, including in the event situations occur that are not covered by the above rules or to further interpret or clarify the existing rules when necessary.

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The 2006 California Clean Tech Open is under the fiscal and administrative sponsorship of Acterra: Action for a Sustainable Earth, a California 501(c)3 non-profit public benefit corporation. Acterra is located at 3921 East Bayshore Road, Palo Alto, CA 94303-4303.
