



UAS America Fund files lawsuit challenging FAA interpretive rule on UAV restrictions

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The UAS America Fund, LLC (“UAS Fund”) has led a group of commercial unmanned aerial vehicle (“UAV”) and systems (“UAS”) companies in filing a legal challenge against the Federal Aviation Administration’s (“FAA”) “Interpretation of the Special Rule on Model Aircraft” (“FAA Interpretation”) in the U.S. Court of Appeals for the District of Columbia Circuit. The legal challenge, or “Petition for Review” was filed on Friday, August 22, 2014.

The Petition for Review was made in coordination with four other UAS industry companies pursuant to Rule 15(a) of the Federal Rules of Appellate Procedure and 49 U.S.C. 46110. In addition to the UAS Fund, other “Petitioners” include SkyPan International, Peter Sachs (d/b/a Drone Pilots Association), and FPV Manuals LLC (d/b/a GetFPV and Lumenier). Each of these Petitioners has an interest in the commercial development and use of UAS, and claim that the FAA Interpretation as currently written will have significant negative impacts on the business operations of each company, in addition to the broader UAV and UAS industry.

“This industry-wide interpretation by the FAA will severely limit the ability of the UAS Fund to invest in the UAS sector,” said Matthew Bieschke, President of the UAS America Fund. “In addition, a goal of the UAS Fund is to provide billions of dollars in funding to finance a nationally-consistent command and communications network for the UAS industry to use in developing new markets, technologies, applications, and infrastructure. The FAA’s position unnecessarily will restrict research and development activities in the sector.”

The FAA’s Interpretation poses a significant risk of the UAS industry, and specifically to the UAS Fund. The ability for companies, entrepreneurs, state agencies, universities and others to research, develop, and deploy UAS is drastically limited by the FAA’s position, and the threat of enforcement action will quickly discourage future technological and market advancement. “It seeks to newly impose a ban on beneficial research and development by commercial companies,” Brendan Schulman, the attorney that filed the Petition. FAA’s Interpretation will materially slow UAS industry innovation and will negatively impact the entire aerospace industry. Michael Dymont, General Partner of the UAS Fund, added, “This rulemaking, if it remains unchallenged, will create a mandatory keyhole through which the entire commercial UAS and UAV sector will be forced to pass, and the FAA will hold the exclusive key.”

The other Petitioners joining the UAS Fund in this legal action include an aerial photography company, a retailer of UAS products, a designer and manufacturer of UAVs and related equipment, a licensed Commercial Pilot who operates model aircraft for various commercial and non-hobbyist purposes and the head of the Drone Pilots Association, with more than 1,400 members who are involved or interested in commercial UAS technologies.

Broad industry backing will continue to be extremely helpful. If you or your organization are able to assist with this effort, please respond to info@uasamericafund.com for additional information.

UAS America Fund, LLC. was incorporated in early 2014 to provide \$2.2 billion in financing to benefit the emerging commercial UAS sector of the U.S. aerospace industry. The UAS Fund will financially support projects related to developing required technologies, building supporting control and communications infrastructure, and equipping civil and commercial unmanned aircraft with communications, surveillance, navigation, and other avionics equipment. The UAS Fund has financial backing from aerospace companies and investment groups that will bring both capital and experience to projects.

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