



Letter of Understanding
Regarding co-operation between
The ECC and the WiMAX Forum

The Parties,

The Electronic Communications Committee (ECC) of the Conférence Européenne des Administrations des Postes et des Télécommunications (CEPT),

and

The WiMax Forum, a nonprofit mutual benefit corporation working to facilitate the deployment of broadband wireless networks based on ETSI and IEEE Standards by helping to ensure cross-vendor compatibility and interoperability of broadband wireless access equipment,

having noted the need to establish a close working relationship in order to foster co-operation;

Recognising that:

ECC is an organisation of governmental bodies, hence with limited possibilities to enter binding agreements with a private association;

and that

The WiMax Forum, being an international organisation comprising equipment manufacturers, service providers, test houses and component suppliers, can be considered a major voice for bringing standardised broadband wireless access on the market

And considering that:

- ECC considers and develops policies on electronic communications activities in a European context and is the recognised organisation in Europe responsible for the efficient use of the radio spectrum, satellite orbits and numbering resources, so as to satisfy the requirements of the users, and
- the WiMAX Forum develops common views for the development and implementation of broadband wireless access technology as well as a policy framework concerning regulatory matters such as spectrum and service licensing;
- ECC and the WiMAX Forum have the common objective to promote broadband wireless access technology, directly or indirectly, with the aim of contributing to the establishment of a high quality information infrastructure;

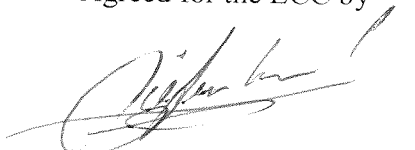
agree to co-operate as follows:

1. ECC and the WiMAX Forum agree to exchange information and seek, to the extent possible, a common European approach concerning the use of radio frequencies in particular in the field of broadband wireless access. The two parties may exchange as appropriate, free of charge, any information on programs of work in areas of mutual interest;
2. Copies of relevant working documents from either Party shall be made available to the other Party on request. The dissemination by one Party of the documents received from the other party will be limited to the members of the relevant part of the receiving Party, and solely for the purpose of the activities relating to the receiving Party's work programme. If the disclosing Party regards the information in the documents as confidential, the receiving Party will likewise treat such

information as confidential unless the disclosing Party authorises non-confidential treatment in writing;

3. All copyright, and other intellectual and industrial rights embodied in documents exchanged between the ECC and the WiMAX Forum and any copies thereof, remain with the originating Party and extend to all media in which the information may be embodied. Any reference to these documents shall be submitted to the agreement of the originating Party prior to communicating the said material to other bodies. If the representatives of a Party participate in the working group activities of the other Party, the other Party's policy governing intellectual property rights shall apply to that participation.
4. The ECC Chairman and the Chairman of the WiMAX Forum should meet periodically at their convenience. Chairmen of ECC subordinate bodies and other concerned groups of the WiMAX Forum may participate in these meetings as appropriate and will be invited accordingly.
5. Within the work area of the WiMAX Forum, participation of one nominated Observer, or a substitute, from the WiMAX Forum is normally permitted at meetings of the ECC, its Working Groups, Project Teams and Task Groups, when the agenda contains items of mutual interest;
6. In order to maintain sufficient identity of objectives, an Observer from ECC shall be regularly invited to relevant plenary meetings of the WiMAX Forum. An ECC Observer may also be invited to attend, as appropriate, the relevant parts of meetings of other WiMAX Forum bodies.
7. Observers shall, to the extent permitted by the relevant Party's organisational statutes and rules, be entitled to participate fully in discussions on relevant work items, and may submit written contributions, but shall not be part of the decision making process.
8. The WiMAX Forum may submit proposals to the relevant ECC body. These shall be adopted subject to the normal ECC process for approval of new work items and outputs.
9. This Agreement shall last for three years and may be renewed by mutual consent. On its expiry, the Agreement shall be automatically renewed for further one-year periods unless otherwise agreed by the Parties. Either Party on giving three months written notice prior to the expiry date can terminate the Agreement.
10. The practical contacts and decisions for the application of this Agreement will be taken between the ECC Chairman and the Chairman of the WiMAX Forum.

Agreed for the ECC by


CHRIS VAN DIEPENBEEK
ECC Chairman

Date: 19-07-2006

Agreed for the WiMAX Forum by


RONALD J. RESNICK
Chairman of the WiMAX Forum

Date: 17-8-2006