



Co-operation Agreement between ETSI and DECT Forum

Considering that:

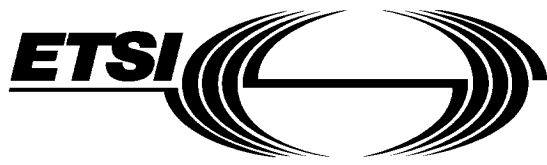
- the European Telecommunications Standards Institute ("ETSI") produces European standards in the field of telecommunications and undertakes pre-standardization and standardization activities in areas common to telecommunications, information technology, sound and television broadcasting;
- ETSI is the recognized European Standardization Organization for telecommunications;
- ETSI co-operates with CEN, CENELEC and EBU, as well as with other bodies concerned with standardization at the European level in fields of common interest, and also with organizations within Europe and outside which have an interest in telecommunications standardization;
- The DECT Forum is a non-profit making association with the objective to promote the evolution of DECT as the world-wide preferred cordless telecommunications standard;
- The DECT Forum aims to provide a place for the exchange of information and experience between regulatory and standardization bodies, operators, users and manufacturers;
- The DECT Forum aims to manage the evolution of DECT in a way that protects legitimate investments and permits smooth service migration and expansion.

Further considering that:

- a number of the Members of the DECT Forum are Members of ETSI;
- ETSI and the DECT Forum have the common objective to promote, directly or indirectly, international standardization with the aim of contributing to the establishment of a global standard for cordless telecommunications;

The parties agree therefore to the following:

- 1 The implementation activities of the DECT Forum and the standardization activities of ETSI are complementary and ETSI and the DECT Forum have noted the necessity of structuring their relationships and fostering a closer co-operation;
- 2 The DECT Forum and ETSI may exchange, as they may agree, free of charge, information on programmes of work in areas of mutual interest. These may include areas of technical co-operation and/or marketing co-operation e.g. joint promotional activities.
- 3 Within the agreed work areas specified in Annex 1 hereto (as such Annex 1 may from time to time be amended by the duly authorized representatives of the parties to the present co-operation agreement), copies of relevant working documents and drafts from either party shall be made available royalty-free to the other on request. Each of the parties is entitled to use the logo of the other party for the purposes of marketing activities if areas of common interest. The dissemination by one party of the documents received from the other party will be strictly limited to the full Members of that party, and solely for the purpose of technical and marketing activities relating to the party's work programme. For all purposes, all copyright, trade secret, patent and other



intellectual and industrial rights embodied in these documents, and any copies thereof, remains with the party originating them and extends to all media in which the information may be embodied.

Each originating party shall not be held liable for further amendments introduced in its deliverables by the other party.

DECT Forum and ETSI undertake to make every endeavour to use electronic document handling in their exchange of documents.

- 4 A nominated Observer from the DECT Forum Working Groups to the relevant ETSI technical bodies and vice-versa may be permitted when the agenda contains items of mutual interest. Such nominated Observers may also be appointed to meetings of the relevant subordinate technical groups.

In principle, no more than one Observer may be allowed in a Committee or subordinate body unless the relevant Chairman agrees.

Observers shall, to the extent permitted by the relevant party's organizational documents, be entitled to participate fully in discussions on relevant work items, and may, to the extent permitted by the relevant party's organizational documents, submit written contributions, but shall have no voting rights.

In order to avoid duplication of technical or planning activities, Observers may submit technical proposals to the Chairperson of the Committee or working body in which they are participating, subject to prior permission from the Chairperson of the DECT Forum Working Groups in the case of proposals submitted by DECT Forum Observers.

- 5 The chairperson of the relevant committee may, with, in the case of the DECT Forum, the permission of the DECT Forum Working Group, agree in particular cases to incorporate text and graphics from the other in a published document. The source of such material shall be acknowledged, and, for purposes of the Act and all other purposes, its copyright, trade secret, patent and other intellectual and industrial property rights shall rest with the originating party. Any information or other material incorporated by one party shall include all notices and other legends requested by the originating party, including, without limitation, notices and legends related to the inclusion of patented information with the exchanged information.
- 6 ETSI shall on request of DECT Forum consider the adoption of DECT Forum outputs as European Telecommunication Standards or other ETSI deliverables, subject to the normal procedures for the adoption of ETSI work items.
- 7 This Agreement shall last for three years and may be renewed by mutual consent. It may be renewed when new Rules of Procedure are adopted in either party, or when particular procedures are adopted at world-wide level. It may also be amended in the light of experience and technical developments.

Notwithstanding the foregoing, this Agreement may be terminated by either party upon one month's written notice to the other. Upon any termination or expiration of this Agreement, all the rights granted pursuant to this Agreement shall cease immediately and the parties shall cease from distributing any information received pursuant to this Agreement. Notwithstanding anything in this Agreement or otherwise to the contrary, the provisions of this Agreement related to ownership of rights and indemnification shall survive any termination or expiration of this Agreement.

Any difficulties arising shall be agreed wherever possible at the working level between the relevant technical groups and Committee Chairman. Matters which cannot be resolved at working level,



shall be subject to discussion between the two organizations at the level of the Director-General of ETSI and the DECT Forum Officials (Chairman and Vice-Chairman).

All disputes arising in connection with the present agreement, which cannot be solved amicably, shall be finally settled by arbitration in accordance with the Rules of the International Chamber of Commerce (Paris), by one or more arbitrators appointed under the said Rules.

The Agreement shall not be deemed or construed to be modified, amended or waived, in whole or in part, except by written agreement of both parties. Neither party may assign this Agreement, or any of its rights, obligations or duties hereunder, without the prior written consent of the other party.

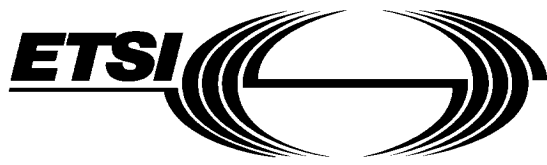
The relationship between the DECT Forum and ETSI shall be that of independent contractors, and nothing in this Agreement shall be construed to constitute either party as an employee, partner, agent or member of the other party. Without limiting the foregoing, neither party shall have authority to act for or to bind the other party in any way, to make representations or warranties or to execute agreements on behalf of the other party, or to represent that it is in any way responsible for the acts or omissions of the other party.

- 8 The practical contacts and decisions for the application of this Agreement will be taken by the Director-General of ETSI and the DECT Forum Officials (Chairman or Vice-Chairman).

Karl Heinz Rosenbrock
ETSI Director-General

Nicolas Houéry
DECT Forum Chairman

Peter Berwing
DECT Forum Vice Chairman



ANNEX 1

Technical co-operation covered by the Agreement

Areas of Technical Co-operation:

EP DECT (Digital Enhanced Cordless Telecommunications)

The DECT Project has overall responsibility within ETSI for the development and maintenance of standards for Digital Enhanced Cordless Telecommunications (DECT).

The DECT Project has the scope to complete the family of standards for DECT, so as to ensure that the required DECT specifications are available in a timely manner, for successful design, implementation and marketing of DECT equipment, services and facilities.

EP CTM (Cordless Terminal Mobility)

The CTM Project has overall responsibility to ensure the production of a consistent and coherent set of CTM Standards and Reports. These Standards and reports will enable products and services to be developed that will allow users of cordless terminals to be able to roam freely between different base stations and networks using a single CTM service registration, directory number and subscription. Networks here include: ISDNs, PISNs and GSM PLMNs.

TC ERM (EMC and Radio Spectrum Matters)

The Horizontal TC (EMC and Radio spectrum matters) has the primary responsibility for:

- ETSI deliverables (in whole or in part) dealing with EMC;
- ETSI deliverables (in whole or in part) dealing with radio spectrum parameters concerned with inter-system characteristics;
- co-ordination of ETSI positions on the efficient use of the radio spectrum and spectrum allocations;
- on an interim basis of six to twelve months, to take over the former responsibilities of TC RES, and make proposals for restructuring its activity.

Such ETSI deliverables may include standards intended to be used for regulatory purposes.

The TC (EMC and Radio spectrum matters) is also responsible for the interface between ETSI and CEC/EFTA and other bodies in the radio and EMC field, notably the CEPT ERC, relevant CEN and CENELEC committees, EUROCAE, EBU, and relevant ICAO and ITU groups and IEC and CISPR.

TC TM (Transmission and Multiplexing)

TM is responsible for all aspects of standardization of transport networks and their elements (including radio relay, excluding satellite systems), and for transmission aspects of transport network interfaces.

The network aspects are developed under the overall guidelines elaborated by NA.

The field includes:

- transport network architecture (including protection issues);
- transmission issues of interfaces (i.e. layer 1);
- TMN aspects related to transport networks (TMN functions, information modelling, etc.);



- specification of the functions and performance of the elements of transport networks such as transmission paths, path elements, sections, systems, functional entities, antennas, cables and optical fibres.

TC TM is also the primary committee for the co-ordination of contributions to ITU-T SG 15, SG 4 (Parts of), SG6 and WPs 3 and 4 of SG 13 as well as ITU-R SG 9 and for collaboration with CENELEC/CECC SC 86 A, SC 86 BXA., SC 86 BXB.

SMG (Special Mobile Group)

SMG is a business and service oriented organisation responsible for two ETSI Projects:

- ETSI Project GSM, including GSM 900 and DCS 1800;
- ETSI Project GSM-UMTS, including the UMTS services concept and the UMTS evolution of the GSM core network.

SMG also performs the horizontal task UMTS GRAN (Generic Radio Access Network) fulfilling requirements from the ETSI Projects GSM-UMTS and ISDN-UMTS.

Global Multimedia Mobility Co-ordination Group (GMM CG)

- GMM is responsible of the preparation of consistent, complete and timely standards in the area of GMM.
- It maintains the overall framework of GMM studies and to facilitate co-ordination between the relevant ETSI Projects and Technical Committees.
- It resolves issues concerning overlapping and gaps in the studies and to seek resolution of these issues. In cases where this cannot be successfully completed by the GMM Co-ordination Group (GMMCG) to highlight the issues to the ETSI Board for resolution.
- It continuously oversees / monitors the progress of the work on GMM.
- It is not responsible for the approval of the work items or deliverables.

Areas of Marketing co-operation

ETSAG (European Telecommunications Standards Awareness Group)

ETSAG is responsible for raising the awareness about European Telecommunications standards in all regions of the world. Its work focuses product/market couplings with matching technology opportunities with geographic regions.

Moreover, DECT Forum and ETSI will agree regularly on the definition of areas of mutual interest as priority targets.