

Letter of Understanding

regarding

Co-operation between

CEPT ERC and UMTS Forum



The Parties,

Conference Européenne des Administrations des Postes et des Télécommunications (CEPT) and its European Radio Committee (ERC), and

UMTS Forum, an open world-wide organisation, comprising regulatory authorities, operators, manufacturers and scientific organisations, established with the purpose to promote the development of the Universal Mobile Telecommunications System (UMTS),

having noted the necessity of structuring and strengthening their relationship and fostering a closer co-operation;

recognising that:

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

and considering that:

- CEPT/ERC is the recognised organisation in Europe responsible for the allocation of spectrum at European level in the field of telecommunications and in areas common to telecommunications, information technology, sound and television broadcasting;
- the UMTS Forum develops common views for the development and implementation of MTS as well as a policy framework concerning regulatory matters such as spectrum and service licensing;
- CEPT/ERC and the UMTS Forum have the common objective to promote UMTS, directly or indirectly, with the aim of

contributing to the establishment of a global information infrastructure;

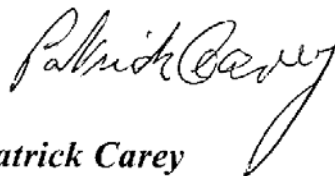
- CEPT/ERC and the UMTS Forum have a reciprocal interest in ensuring the world-wide allocation of spectrum for UMTS which meets the needs of the market;
- CEPT/ERC and the UMTS Forum have several common members;

agree to co-operate as follows:

- 1 CEPT/ERC and the UMTS Forum may exchange from time to time as they may agree, free of charge, information on programmes of work in areas of mutual interest in the field of UMTS;
- 2 Within the UMTS work area, 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 receiving Party, and solely for the purpose of the activities relating to the Party's work programme;
- 3 All copyright, and other intellectual and industrial rights embodied in documents exchanged between CEPT/ERC and the UMTS Forum, and any copies thereof, remain with the originating party and extend to all media in which the information may be embodied;
- 4 Within the UMTS work areas, participation of a nominated Observer from the UMTS Forum is permitted at meetings of the ERC, its Working Groups, Project Teams and Task Groups, when the agenda contains items of mutual interest;
- 5 In order to maintain sufficient identity of objectives, a representative of CEPT/ERC may participate as Observer in the UMTS Forum Steering Group and UMTS Forum General Assembly. The CEPT/ERC representative shall be nominated by CEPT/ERC;

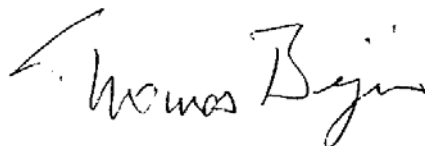
- 6 Observers shall, to the extent permitted by the relevant Party's organisational statutory, be entitled to participate fully in discussions on relevant work items, and may submit written contributions, but shall have no voting rights;
- 7 The UMTS Forum may submit proposals for spectrum activities to the relevant CEPT/ERC Body. These shall be adopted subject to the normal CEPT/ERC process for approval of new work items and outputs;
- 8 The two parties agree to exchange information and seek a common approach concerning matters such as radio spectrum utilisation within Europe and regulatory affairs;
- 9 This Agreement shall last for three years and may be renewed by mutual consent. On its expiry, the Agreement shall be tacitly renewed for further one year periods unless otherwise agreed by the Parties. The Agreement can be terminated by either Party before the expiry date with three months' notice;
- 10 Any difficulties arising shall be agreed wherever possible at the working group level between the relevant CEPT Body and UMTS Forum Working Group. Matters which cannot be resolved at working group level shall be subject to discussion between the two parties at the level of Chairman of CEPT/ERC and Chairman of the UMTS Forum;
- 11 The practical contacts and decisions for the application of this Agreement will be taken between the CEPT representative nominated to the UMTS Forum Steering Group and the UMTS Forum Chairman.

Copenhagen, May 1998



Patrick Carey

Chairman CEPT ERC



Thomas Beijer

Chairman UMTS Forum