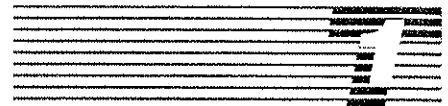




**Alliance for Telecommunications
Industry Solutions**



**Standards Committee T1
Telecommunications**

COOPERATION AGREEMENT BETWEEN

**THE ALLIANCE FOR TELECOMMUNICATIONS INDUSTRY
SOLUTIONS, ON BEHALF OF THE ACCREDITED
STANDARDS COMMITTEE T1 – TELECOMMUNICATIONS**

AND

TELECOMMUNICATION TECHNOLOGY COMMITTEE



COMMITTEE T1 AND TELECOMMUNICATION TECHNOLOGY COMMITTEE COOPERATION AGREEMENT AND GUIDELINES

I. PURPOSE

This Agreement and these Cooperation Guidelines (hereinafter "Agreement" and/or "Guidelines") are intended to: (i) facilitate the standards work of Committee T1 and the Telecommunication Technology Committee (hereinafter TTC); (ii) establish the framework supporting cooperation with respect to future standards development and work; and (iii) support an environment for the exchange of information which will facilitate cooperation while preserving the integrity of the respective Committee T1-developed standards and processes and the TTC-developed standards and processes. Specifically, they set forth those Committee T1 and TTC principles and processes that are fundamental to Committee T1, TTC respectively and shall apply to all efforts between Committee T1 and TTC.

II. BACKGROUND

This Agreement and these Guidelines recognize and incorporate by reference those principles and Guidelines on cooperation developed in the Interregional Telecommunications Standards Conferences (ITSC) 1, 2, and 3 as well as those Global Standards Collaboration (GSC) 1, 2, 3, 4, 5 and 6 meetings. Specifically, ITSC (1) (held in Fredericksburg, Virginia in 1990) endorsed cooperation to further the work of the ITU-T and the ITU-R; supported the exchange of information during the early phases of standards development; and encouraged the use of electronic document handling to facilitate the exchange of information. ITSC (2) (held in Nice, France in 1992) endorsed the adoption and adaptation of existing standards work where and when possible; encouraged bilateral and multilateral cooperation for global and interregional standards; recognized the hierarchy of standards (i.e. from global to regional to national standards); and supported openness, including access to meetings, documents, work programs, and schedules. ITSC (3)/GSC (1-3) recognized the importance of cooperation with Forums/Consortia as well as the importance of seeking user input, participation, and meeting user needs; reached agreement that technical cooperation will take place at the lowest organizational level consistent with the organization's mission and scope; and agreed that intellectual property rights (IPR) policies should facilitate the sharing of technical information. GSC (4)/RAST (6) encouraged among other things standards development organizations to exchange intellectual property and extend rights to intellectual property as well as continued use and expansion of electronic tools for standards development.

III. GENERAL

This Agreement and these Guidelines are intended to achieve the purposes stated above, but shall not supersede, limit, or in any way modify the Committee T1 Bylaws, the procedures and processes of Committee T1 as contained in the Procedures Manual of Committee T1, or the policies of Committee T1. Nor shall it supersede, limit, or in any way modify the TTC Bylaws, the TTC procedures and processes or the policies of TTC.

Nor should these Guidelines or any portion of them, be construed to affect or convey any intellectual property rights, including without limitation all copyrights, trademarks, service marks, patents and trade secret rights owned or developed by any Committee T1, or TTC member outside of or unrelated to the activities of Committee T1 or TTC unless the owner of such rights specifically agrees otherwise in writing.

IV. INTELLECTUAL PROPERTY RIGHTS

This section of the Agreement summarizes the procedures and policies of Committee T1 with regard to intellectual property as such intellectual property may be embodied in the exchange and sharing of technical information, draft standards, American National Standards and other such information. Committee T1 and/or its Secretariat, the Alliance for Telecommunications Industry Solutions (ATIS), reserve the right to modify these procedures and policies at any time. Unless stated otherwise, ATIS will grant rights in intellectual property on a case-by-case basis.

This section also summarizes the procedures and policies of TTC with regard to intellectual property that may be embodied in the exchange and sharing of technical information, draft standards, TTC approved standards, and other such information. TTC reserves the right to modify these procedures and policies at any time. Unless stated otherwise, TTC will grant rights in its intellectual property on a case-by-case basis.

A. COPYRIGHTS

1. COMMITTEE T1

ATIS owns the copyright to all Committee-T1 developed American National Standards (ANS) approved by the American National Standards Institute as well as other Committee T1 documents such as Technical Reports (TR), Technical Requirements (TRQ) and Technical Specifications (TS). ATIS copyrighted documents are protected by the United States Copyright Laws and International Treaty Provisions. Any request to use Committee T1-developed/ATIS copyrighted documents shall be referred to the Committee T1 Secretariat at ATIS, 1200 G Street, N.W., Suite 500, Washington, D.C. 20005. ATIS publishes all Committee T1 documents via the ATIS Document Center on the Internet at <http://www.atis.org>.

As respects technical contributions to TTC by Committee T1, unless expressly stated to the contrary, Committee T1 encourages the reproduction, use and sharing of such information without restriction for purposes of furthering the cooperative standards development process.

Likewise, as respects draft standards developed by Committee T1, unless expressly stated to the contrary, Committee T1 encourages the reproduction, use and sharing for the limited purpose of standards development work between Committee T1 and TTC, provided that the following disclaimer is included on all documentation that reproduces uses or otherwise relies upon the Committee T1 draft standards:

This is a draft document being developed by Committee T1 and thus, is dynamic in nature. It may be changed or modified. Neither ATIS nor Committee T1 make any representation or warranty, express or implied, with respect to the sufficiency, accuracy, utility of the information or opinion contained or reflected in the material. ATIS and Committee T1 further expressly advise that any use of or reliance upon the material in question is at your own risk, and neither ATIS nor Committee T1 shall be liable for any damage or injury, of whatever nature, incurred by any person arising out of any utilization of the material. It is possible that this material will at some future date be included in a Committee T1 work copyrighted by ATIS.

Use of Committee T1 copyrighted and published standards by TTC are also encouraged. Requests for reproduction and distribution of Committee T1 copyrighted works shall be in writing and will be addressed on a case-by-case basis and directed to the attention of ATIS's General Counsel. Such requests shall be addressed in a timely manner.

2. TTC

TTC owns the copyrights to all TTC-developed, approved, and published TTC standards. TTC-copyrighted documents are protected by the Copyright Law of Japan. Any request to use TTC-developed/copyrighted documents shall be referred to TTC Secretariat at 1-2-11 Hamamatsu-cho, Minato-ku, Tokyo 105-0013, Japan. TTC standards shall be purchased from TTC Website at <http://www.ttc.or.jp/e/index.html>.

As respects technical contributions to Committee T1 by TTC, unless expressly stated to the contrary, TTC encourages the reproduction, use and sharing of such information without restriction for purposes of furthering the cooperative standards development process.

Likewise, as respects draft standards developed by TTC, unless expressly stated to the contrary, TTC encourages the reproduction, use and sharing for the limited purpose of standards development work between TTC and Committee T1, provided that the following disclaimer is included on all documentation that reproduces uses or otherwise relies upon the TTC draft standards:

This is a draft document being developed by TTC and thus, is dynamic in nature. It may be changed or modified. TTC does not make any representation or warranty, express or implied, with respect to the sufficiency, accuracy, utility of the information or opinion contained or reflected in the material. TTC further expressly advise that any use of or reliance upon the material in question is at your own risk, and TTC shall not be liable for any damage or injury, of whatever nature, incurred by any person arising out of any utilization of the material. It is possible that this material will at some future date be included in TTC work copyrighted by TTC.

Use of TTC copyright and published standards by Committee T1 is also encouraged. Requests for reproduction and distribution of TTC copyrighted works shall be made in writing and

addressed on a case-by-case basis and directed to the attention of TTC Secretariat. Such requests shall be addressed in a timely manner.

B. PATENTS

The patent policy of Committee T1 states that there is no objection in principle to drafting a proposed American National Standard in terms that include the use of a patented item, if it is considered that technical reasons justify this approach. The draft standards, technical reports, and technical information provided by Committee T1 to TTC will include notices of potentially relevant patents only if notice of such a patent is provided to the T1 Secretariat and the patent notice gives an assurance in the form of a general disclaimer to the effect that the patentee does not hold and does not anticipate holding any invention whose use would be required for compliance with the proposed American National Standard or assurance that: (1) A license will be made available without compensation to applicants desiring to utilize the license for the purpose of implementing the standard, or (2) A license will be made available to applicants under reasonable terms and conditions that are demonstrably free of unfair discrimination. The terms and conditions of any such license will be subject to the private negotiations of the patent holder and any prospective licensee. Neither Committee T1 nor ATIS shall have any other responsibilities or obligations regarding patent notification.

The patent policy of TTC requests the holder of industrial property rights, which are relating to the TTC standards, to opt either (1) grant a license on his industrial property rights unconditionally to any person who will use the TTC standards or (2) grant a license for the relevant industrial property rights on a non-exclusive basis and under reasonable terms and conditions. The draft TTC standards, technical document, and technical information provided by TTC to Committee T1 will include notices of potentially relevant patents only if notice of such a patent is provided to the TTC Secretariat. TTC shall not be liable to any person in regard to problems which may arise from the title holder's failure to submit a patent statement.

C. TRADEMARKS

The registered trademark of an organization may be used in connection with materials generated by or within Committee T1 only upon express written agreement of the T1 Secretariat. The registered trademark of an organization may be used in connection with materials generated by or within TTC only upon express written agreement of the TTC Secretariat.

V. JOINT PUBLICATION RIGHTS

Committee T1 may agree to jointly publish works developed by it with TTC, but only upon such terms as may be agreed in writing on a case-by-case basis. Absent such an agreement, or an agreement by Committee T1 through its Secretariat that TTC may publish the jointly developed work on its own, TTC will not publish any such works.

TTC may agree to jointly publish works developed by it with Committee T1, but only upon such terms as may be agreed in writing on a case-by-case basis. Absent such an agreement, or an agreement by TTC through its Secretariat that Committee T1 may publish the jointly developed work on its own, Committee T1 will not publish any such works.

VI. FRAMEWORK FOR COMMON SPECIFICATIONS

Cooperative work on certain technical subjects may need to recognize and take into account regulatory, national, or regional differences. Where certain commonality exists in the draft standards, draft technical reports, and other technical information exchanged between Committee T1 and TTC, the goal will be to identify such commonality in a set of specifications. Such commonality should be identified and addressed at the technical working levels of the interacting organizations and be achieved through such communications mediums as are available to the working levels such as electronic document handling and electronic mail, as well as in-person liaisons.

Upon the establishment of draft joint specifications, such specifications shall be reviewed and approved by Committee T1 and TTC, subject to their respective internal review and approval processes. In the event that either organization does not approve a joint specification, that specification will not be considered a joint specification.

VII. DURATION OF MODEL COOPERATION GUIDELINES

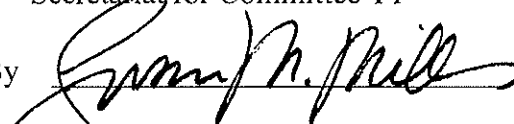
These Guidelines shall govern the relationship between Committee T1 and TTC for so long as their cooperative relationship continues unless expressly agreed to otherwise.

VIII. CONCLUSION

To memorialize our understanding that these Guidelines will govern the cooperative relationship between Committee T1 and TTC, the parties have signed and dated this document below.

Dated: 11/5/01

ALLIANCE FOR TELECOMMUNICATIONS
INDUSTRY SOLUTIONS, as
Secretariat for Committee T1

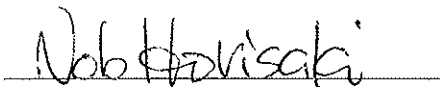
By 

Susan M. Miller
President and CEO

ATIS
1200 G Street, N.W., Suite 500
Washington, D.C. 20005

Dated: 11/5/01

The TELECOMMUNICATION TECHNOLOGY
COMMITTEE

By 

Nobuhiro HORISAKI,
Executive Managing Director
TTC

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