

dPMR Association MEMORANDUM OF UNDERSTANDING

1. Introduction

This Memorandum of Understanding is made and entered into as of 13 February 2007 by and between the SIGNATORIES, whose legal identities, addresses and principal areas of activity, are listed in Appendix 1. This Appendix shall be revised and circulated whenever a signatory notifies changes.

2. Interpretation

The SIGNATORIES have declared, in Appendix 1, their present activity, and indicated which of the main interest groups MANUFACTURERS, USERS (end users, customers, operators, potential operators), REGULATORS, ACCREDITED TEST HOUSES and NON PROFIT ORGANISATIONS they belong to.

The European Telecommunications Standards Institute's dPMR standards activities of ETSI ERM TGDMR will be actively supported by the Commission within the European Union.

The dPMR activity within ETSI is established, and supported in favour of a multi-vendor environment.

The customer base has a strong desire for a multi-vendor open standards environment.

The adoption of dPMR is seen as a way to increase the PMR/SMR Radio markets.

Based on ETSI's work thus far, dPMR is expected to provide appropriate communications solutions for a broad spectrum of existing and potential PMR/SMR and Short Range Radio users, thereby ensuring a true competitive market.

The dPMR activity will result in the ability to multi-source terminal and infrastructure products independent of the manufacturer.

The dPMR equipment will satisfy the ETSI channel mask of existing analogue channels spaced at 12.5kHz.

THEREFORE, in consideration of the foregoing and recognising that dPMR provides for –

- a number of specific features , in particular peer to peer and centralised mode and –
- a number of specific services including speech and data communication

that are key elements for PMR/SMR markets, the SIGNATORIES have the following intentions:

3. Purpose

3.1 All SIGNATORIES desire to

- Support the ETSI ERM dPMR standards as specified in ETSI TS 102 490 and TS102 658 (6,25 kHz FDMA standard set).
- Promote the dPMR standards through its “brand”
- Promote equipment multi-sourcing in the Standards. Ensure interoperability of multiple vendors.
- Develop a certification mark that will uniquely identify all equipment meeting the dPMR standard, the trademark may be suitably protected and owned jointly by the signatories of the MoU
- Promote the dPMR Standards through its trademark
- Ensure appropriate co-operation and support of the validation process of dPMR, this being laboratory work and real-life field trials of systems.
- Inform regulatory bodies, national administrations and frequency planning authorities on the nature and capabilities of the Standard.
- Liaise with other Standards bodies to ensure wide recognition of the dPMR Standard and possible interoperability
- To establish a technical forum to debate future applications and developments of dPMR technology.
- Promote availability of Spectrum for the Standard –
 - R.F co-existence specifications
 - New spectrum allocations
 - Licensing issues including re-farming of existing PMR/SMR spectrum

3.2 MANUFACTURERS desire to

- Produce equipment that is compliant to the dPMR standards and compliant to the collective users' needs. These needs will be based on the completed and ongoing work of the responsible ETSI Working Group and supplemented by the work of the members.
- Follow the current version of the ETSI General Assembly IPR decision.
- Create a forum for analysis of any IPR declared as ‘essential’ to the the dPMR standard.
- Promote the philosophy of ‘technology neutral’ use of the radio spectrum within Europe.

3.3 USERS (end users, customers, operators, potential operators) desire to

- Consider dPMR certified equipment a candidate for satisfying their PMR/SMR and Short Range Radio needs.

3.4 REGULATORS desire to

- Encourage the user community at large to approve the dPMR standards for PMR/SMR and PAMR services.
- Ensure that the regulators put in place a regulatory framework that encourages the adoption of the dPMR ETSI standards.

3.5 TEST HOUSES desire to

- Provide independent test facilities for verification of dPMR functionality and interoperability.

4. Management

The collaboration under this MoU will be co-ordinated by the following groups:

4.1 An Administrative Working Group comprising one member representing each full member.

It will initiate the actions necessary to fulfil the purpose of this MoU. Members of the Administrative Working Group will be those indicated in Appendix 1. The AWG will elect its officers.

4.2 One or more Working members with elected officers designated by the AWG

Any action in the Administrative Working Group will be made preferably by unanimous consent. However, it follows from the spirit of the intentions that no PARTY has a right of veto for actions within the scope of this MoU. The AWG will implement weighted voting rules for such questions where the economic interest of individual members are widely different. These weighted voting rules will be established by the AWG and will be appended to this agreement.

4.3 A technical working group with elected officers designated by the AWG

The technical working group will review all proposals for development of the dPMR standard at both the application and functional level and will liaise as necessary with ETSI. This technical working group and its documents will be open to all members and observers signatory to the technical non-disclosure agreement (NDA).

4.4 A marketing group with elected officers designated by the AWG

The marketing group will provide generic support material for all types of dPMR equipment.

5. Expenses

Each PARTY to this Memorandum of Understanding will bear and pay all of its own costs and expenses (including attorneys' and accountants' fees, legal costs and expenses) incurred in connection with this Memorandum of Understanding and the execution of the contemplated actions except as otherwise agreed upon.

6. Notices

All notices, requests, demands or other communications will be in writing (including facsimile, letter, or email, and will be deemed to have been duly served or delivered if sent to the addresses of the members of the Administrative Working Group as indicated in Appendix 1.

7. Entry of new SIGNATORIES to this MOU

This MoU is open for signature by any new manufacturer, user, regulator, test house or other appropriate body on request.

8. Entire Agreement

This Memorandum of Understanding is not intended to create legally binding obligations, but is a statement of bona fide intent of the SIGNATORIES. It sets forth the entire understanding of the SIGNATORIES in respect of the collaboration contemplated. It may be amended only by a written instrument executed by all SIGNATORIES.

