



WiMAX Forum® Member Company Communications Policy

Updated April 25, 2007

Introduction

The purpose of the WiMAX Forum is to promote and certify the compatibility and interoperability of Broadband Wireless Access (BWA) products using global standards with the goal of accelerating the introduction of these systems into the marketplace. To that end, it is each member company's responsibility to portray WiMAX Forum Certified™ products accurately and positively in all of its communications, positioning and messaging.

The WiMAX Forum relies on the cooperation of its members to support the WiMAX Forum vision, and the organization strives to be accurate and realistic in terms of technological capabilities, timelines, milestones and market potential. As the market continues to evolve, the WiMAX Forum recognizes the valuable role of its membership to help build and protect the brand image of the WiMAX Forum and WiMAX Forum Certified products.

Responsible communications by member companies are critical to minimize market confusion and defuse any misinformation that is being spread by competitive initiatives. Members of the press and industry analyst community have voiced growing concern of inconsistent communications disseminated from member communications

Policy Contents

The following document covers guidelines that aim to clarify the WiMAX Forum's policy regarding:

- external announcements
- online communications and interviews with the journalists and industry analysts
- public presentations and speeches
- branding guidelines for marketing communications activities (see page 2)

In order to enforce this communications policy, the WiMAX Forum has also developed a **Compliance Regulation Policy** that members must follow (see page 3).

1. Member External Communications

Certain news releases issued by member companies will require WiMAX Forum review and approval before disseminating to the press or on the member company web site. Below is an outline of which news releases require WiMAX Forum approval and the process for gaining such approval.

In addition, in regards to ongoing member announcements, public presentations and press/industry analyst interviews, there are guidelines highlighted to ensure that communications support the objectives and messaging consistent with what is advocated by the WiMAX Forum Board bylaws, WiMAX Forum Charter, and Charter of the appropriate WiMAX Forum working groups.

A. News Release Approval Process

- a. Member news releases that require WiMAX Forum approval include:
 - i. Announcement of membership in the WiMAX Forum
 1. A sample news release announcing WiMAX Forum membership is available in the Members Only area of the WiMAX Forum Web site --
http://www.wimaxforum.org/members/Sample_Press_Release
 - ii. Announcement of member products receiving WiMAX Forum Certified designation
 - iii. Announcement of participation in WiMAX Forum-sponsored or endorsed events, these include:
 1. WiMAX Forum Member Conferences and public WiMAX Forum PlugFests, which have strict guidelines limiting discussion of results (success or individual companies interoperating)
 2. WiMAX Forum Member Conference information regarding WiMAX Forum milestones or special announcements



- b. In cases of WiMAX Forum-led announcements to recognize key achievements (WiMAX Forum Certification and public PlugFests), the WiMAX Forum-issued announcements are not to be preempted by members' separate news releases. In each of these cases, WiMAX Forum marketing/PR will work directly with member company marketing and PR personnel to ensure there is an understanding of the review and approval process and overall timing.
- c. Announcement Review Process:
 - i. Member companies' marketing/PR staff submits release draft **at least five days prior to release date** (preferably one week prior)
 - ii. Notify WiMAX PR Team by emailing Dan Guitteau (dguitteau@golinharris.com) and Mari Pillar (mpillar@golinharris.com), representatives of the WiMAX Forum's PR agency, GolinHarris
 - iii. In the review of the release draft, the WiMAX Forum Marketing/PR team for the WiMAX Forum will ensure there is:
 - 1. Proper brand usage and use of trademark notices (*see brand guidelines later in the document, for example, the circle "R" notice ("®") with "WiMAX Forum®" and the "tm" notice for other marks, such as "WiMAX Forum Certified™," "WiMAX™" and "Mobile WiMAX™."*)
 - 2. Consistency of messaging (WiMAX Forum vision, technology references, milestones, etc.)
 - 3. An approved quote from the WiMAX Forum for a WiMAX Forum executive to be included in the member news release (if appropriate)
 - 4. Approval received by the appropriate WiMAX Forum leadership
 - iv. Revisions and approval will be provided by WiMAX Forum Marketing/PR to member company marketing and PR personnel within three business days
- d. Additional Member External Communications (in press and industry analyst reports)
 - i. Member announcements
 - 1. In addition to reviewing applicable member news releases, WiMAX Forum Marketing (with the support of WiMAX Forum General Counsel) will evaluate member company announcements on an ongoing basis to ensure members are communicating in a manner that is consistent with WiMAX Forum objectives. This includes but is not limited to information on company Web sites, comments made to press and analysts and all company news releases.
 - 2. Members should also refer to the WiMAX Forum messaging documents and FAQs, which will be located on the member web site in the Marketing Working Group site.
 - ii. Member public speeches and presentations
 - 1. When member company executives and personnel are speaking as a keynote speaker or panelist industry trade shows and conferences, it is imperative that all content that presents WiMAX Forum-related information and data is attributed to the WiMAX Forum and is consistent with messaging approved by the Forum.

To encourage member support of these communications guidelines, WiMAX Forum marketing is expanding its web site to include approved member news release page, which it will promote on an ongoing basis with key press and industry analysts.

Important To Note:

GolinHarris' non-disclosure agreement with the WiMAX Forum applies to all communications received from member companies. This ensures all member news is treated confidentially.



B. Authorized WiMAX Forum Spokespersons

- a. The only individuals who are authorized to speak to media and industry analysts on behalf of the WiMAX Forum are Ron Resnick and Mohammad Shakouri. All media and analyst inquiries are directed to GolinHarris.
- b. Under no circumstances should any member offer information, opinions or speculation on the activities (such as Certification, organization plans, timelines etc.) of the WiMAX Forum to media and industry analyst community or the public in general. All such inquiries related to the WiMAX Forum must be immediately referred to GolinHarris contacts:

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II. Branding Guidelines

A. Acceptable/Encouraged Practices

The following are the principal trademarks of the WiMAX Forum:

- a. "WiMAX Forum," "WiMAX," "Mobile WiMAX," "WiMAX Forum Certified," the WiMAX Forum logo, and the WiMAX Forum Certified Logo. Use of the logos is subject to specialized usage guidelines and licensing requirements. Please refer to these and to the WiMAX Forum word mark usage guidelines for information regarding requirements, restrictions and appropriate usage. Below are basic usage rules relating to the use of "WiMAX."
- b. Form: "WiMAX" should always be used with a capital "W," lower case "i" and uppercase "MAX."
- c. Notice: The appropriate trademark notice symbol ("®" or "™") should be used with the first and most prominent usage of the mark and again in the first appearance in the body of the copy. Wherever possible, the trademark notice symbol should be superscripted after word marks. Once a mark is correctly attributed on a document or Web page, it is not necessary to mark subsequent appearances of the trademark in the same piece. Use "®" with "WiMAX Forum" and "™" with all other marks.
- d. In addition to providing proper notice on the mark, provide appropriate ownership attribution of the marks through a footnote, such as the following:
 - i. "WiMAX" is a trademark of the WiMAX Forum.
- e. Correct Usage:
 - i. The trademark is an adjective and should not be used as a verb or noun or in the possessive or plural forms. Every mark should have a "product or service descriptor" (i.e. noun) that follows the trademark.
 1. **Example:** WiMAX wireless antennas manufactured by....
 - ii. "WiMAX" is not synonymous with the IEEE 802.16 standard or its individual variants, or the ETSI/BRAN HiperMAN standard, so do not use the mark in this manner. "WiMAX" is the branding for the specific implementations that the WiMAX Forum is selecting, supporting, and certifying, as well as the additional requirements that the WiMAX Forum is imposing in relation to these implementations. Do not confuse the two. If you are referring to the standard, use "IEEE 802.16," not "WiMAX."
 - iii. When referring to products that the WiMAX Forum has certified, the correct mark usage is to identify the product as "WiMAX Forum Certified." (Note that the words "Forum" and "Certified" appear with the initial letter capitalized in each instance.) This is the only correct usage and only products that the WiMAX Forum has actually certified and entered into the certified product registry may be identified in this manner.

B. Unacceptable Practices:

- a. Do not alter the mark and never vary the spelling, add hyphens, make one word two or use a possessive or plural form of the mark.
- b. Do not combine any WiMAX Forum mark with any other word, design or other element to create a new mark.
- c. No mark may be used in conjunction with any word or phrase that could lead the public to believe that a non-certified product has been certified by the WiMAX Forum. Examples of this include, without limitation, "WiMAX certified," "WiMAX approved," "WiMAX interoperable," "WiMAX compatible," "compatible with WiMAX" and "WiMAX compliant."
- d. No mark may be used in a context, such as in the phrase "WiMAX certifiable" that implies that a product or product component will or may successfully pass certification testing in the future or that a product component, when combined with other components or products, will result in a product that will or may successfully pass certification testing in the future.
- e. It is unacceptable to refer to a product as being interoperable, compliant, certified, or certifiable under a WiMAX Forum designation or specification unless the WiMAX Forum has specifically approved both the certification and the designation. At present, the only approved designation is "WiMAX Forum Certified," which applies to products that have successfully completed certification testing and have been certified. Unapproved designations that may not be used in relation to compliance or certification include, without limitation, "Wave 2," "Mobile WiMAX," and "Mobile WiMAX Wave 2." It is, however, acceptable to identify a product as incorporating or being built to operate using the "Mobile WiMAX™" or "Mobile WiMAX™ Wave 2" specification so long as it is clear that the specification has not been finalized and there is no suggestion in the language that the product is interoperable with WiMAX Forum Certified products or that it has been certified or is certifiable under the WiMAX Forum product certification program.

III. Compliance Regulation for Announcements and Branding

In the event the WiMAX Forum becomes aware of a violation of the Communications policy, it may take any of a number of actions, depending on the nature and circumstances of the violation:

- A. Notice.** The WiMAX Forum will provide notice to the member of the violation. Typically a representative of WiMAX Forum Marketing will contact the member by telephone or in writing to identify the concern and to discuss with the member any corrective measures that the member may need to take to bring the member into compliance with the policy. Marketing may escalate the notice procedure directly to the General Counsel or a different notification procedure may be used.
- B. Corrective Measures.** The WiMAX Forum will establish the corrective measures that are required to bring the member into compliance with the policy and the appropriate time frame for taking corrective action. Examples of corrective measures may include, without limitation, the posting of revised press releases or other communications on the member's Web site or issuing an updated public wire distribution.
- C. Noncompliance.** If the member fails to take the required corrective action within the prescribed timeframe, the WiMAX Forum will impose sanctions to secure compliance. Potential sanctions may include, without limitation, suspension of some or all membership privileges (such as the ability to attend WiMAX Forum meetings and conference calls, participate in Working Groups, and access the members' section of the Web site), suspension of product certification(s), full suspension of membership, expulsion from the WiMAX Forum, and, if warranted, legal action against the member.
- D.** The delay or failure of the WiMAX Forum to provide notice of noncompliance or require corrective action does not constitute acceptance of the noncompliance and is not a waiver by the WiMAX Forum of its enforcement rights. The WiMAX Forum may elect to take these actions at any time in response to any noncompliance under this policy.

To notify the WiMAX Forum about potential non compliance of Communications Policy, please contact:



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