



Memorandum of Understanding

Malaysian Technical Standards Forum Bhd (MTSFB)

and

**Telecommunication Technology Committee (TTC),
Japan**

on

**Collaboration for the Technical Standards
Development and Technical Project**

12 October 2011

**Auditorium,
Malaysian Communication and Multimedia Commission,
Cyberjaya, Malaysia**

1. PREAMBLE

The purpose of this Memorandum of Understanding is to set out a framework between MTSFB and TTC to facilitate liaison between the two organisations on areas of mutual interest – in collaboration to initiate a cooperative environment to address technology related issues involving technical standards, codes and operational viabilities and network interoperability on a national scale, as well as technical projects for MTSFB.

This Memorandum relates to the areas of interface between MTSFB and the TTC during the collaboration, and outlines respective roles and responsibilities to promote effective liaison relationships.

2. FUNCTIONS OF MTSFB AND TTC

Malaysian Technical Standards Forum Bhd. (MTSFB)

MTSFB was created as an independent non-profit body designated by the Government through the Malaysian Communications and Multimedia Commission (SKMM) to enshrine the national policy and objective in accordance to section 94 and 184 of the Communications and Multimedia Act 1998. (www.mtsfb.org.my)

SKMM is the national telecommunication regulator of Malaysia. The primary role is to implement and promote the Government's national policy objectives for the communications and multimedia sector. SKMM is also charged with overseeing the regulatory framework for the converging industries of telecommunications, broadcasting and on-line activities, in accordance with the national policy objectives set out in the Communications and Multimedia Act 1998. (www.skmm.gov.my)

As the national technical standards authority for the telecommunications, broadcast and multi-media sectors, MTSFB is responsible for the establishment and maintenance of standards, technical codes, network interoperability and technical operation issues under the purview of SKMM. MTSFB is also responsible to register the technical standards developed under its platform as the national standard (Malaysian Standard) under the purview of the Standard Department of Malaysia.

At present, MTSFB is chaired by Dato' Ismail Osman with seven appointed Board of Directors.

The MTSFB's responsibilities are:

- To establish and maintain standards, technical codes, network interoperability and technical operational issues.
- To liaise closely with government and non-governmental bodies, voluntary association or individuals towards facilitating the development and growth of the communications and multimedia industry.

- To invite vendors and education bodies to participate in development of products and technical standards tailored for the telecommunication industry.
- To develop, recommend, modify, update and seek approval of technical codes from SKMM.

The Telecommunication Technology Committee (TTC), Japan

In October 1985 the Telecommunication Technology Committee (TTC) was established as a standardization organization to engage in standardization concerning telecommunications, to disseminate standards, and to contribute to the vitalization of the telecommunications field. The scope of TTC's standardization activities subsequently expanded attendant on the development of information and communications technologies, and in June 2002 the Committee redefined its business as "standardization pertaining to information and communications networks". (<http://www.ttc.or.jp/e/index.html>)

Purpose:

The purpose of TTC is to develop standards pertaining to information and communications networks, to contribute to standardization in the information and communications field, and to work to disseminate those standards, and thus contribute to the development of information and communications technology (ICT), the establishment of a secure social life, and the promotion of harmonious related industries.

Description of Business Activities:

- Develop standards pertaining to information and communications networks
- Conduct surveys and research on information and communications networks
- Disseminate standards pertaining to information and communications networks
- Engage in undertakings ancillary to the above business activities
- Engage in other business activities necessary to achieve the purpose of the committee

MTSFB and TTC to be hereafter referred to as "the Parties".

3. GENERAL PRINCIPLES

The Malaysian Technical Standards Forum Bhd (MTSFB) and the Telecommunication Technology Committee (TTC) agree on the followings:

- The Parties agree to support and encourage the collaboration for the technical standards development and technical project of the telecommunication applications based on the principle of mutual advantages; and
- The Parties shall cooperate to conduct training(s), meeting(s) or seminar(s) in Malaysia and including study visit(s) to Japan during the collaboration practice.

For MTSFB

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- Co-ordination with SKMM with regard to the develop and register new technical codes, along with the conduct of training(s), meeting(s), seminar(s) or study visit(s); and
- Co-ordination with relevant Malaysian government ministries, industry players and vendors participating in the training(s), meeting(s), seminar(s) or study visit(s).

For TTC

- Co-ordination with ITU and the relevant Japanese organisations with regards to the development of the technical standards for MTSFB.

Scopes of collaboration pre-identified during inaugural meeting for the technical standards development and technical project:

- National standardization activities corresponding to the Regional and International standardization activities through ITU, CJK, GSC etc ;
- Green ICT including smart grid technology;
- 4th Generation or IMT Advanced technologies;
- Broadband Access technologies;
- Cloud Computing;
- Digital Television technologies;
- Sensor Network technologies;

4. STATUS OF THIS MEMORANDUM

- 1) This Memorandum does not affect existing statutory functions or amend any other policies or agreements relating to the activities of the MTSFB and TTC.
- 2) This Memorandum does not constitute binding commitment or obligation of either Party, nor does it entail any financial commitments for either Party. MTSFB and TTC agree to be responsible for its own expenses, otherwise both parties agree to support or grant budget for the other Party based on case-by-case basis.

5. CONFIDENTIALITY

- 1) Each Party acknowledges that in connection with the agreement, it may be exposed to certain confidential information of the other Party, the disclosure of which to third party would be damaging. (Confidential Information)
- 2) The Confidential Information includes, but is not limited to, any and all information, inventions, know-how, practical experience, procedures, methodology, technical and scientific data, specifications and formulate, whether patentable or not, disclosed to the other Party in writing or oral form, through observation during visits to facilities of the other Party or through study or testing of samples supplied.
- 3) Each Party agrees; (a) not only use the Confidential Information, except for the purpose of the agreement (b) not to disclose the Confidential Information to any

third party, except to those of its personnel who have signed the confidentiality agreement; and (c) to treat the Confidential Information with due care of a good manager.

- 4) Each Party warrants that, in the event that it discloses the other Party's Confidential Information to its personnel in accordance with the preceding paragraph, it has sufficient procedures and protections in place, and shall continue to keep such procedures and protections in place, in order to enforce and maintain the confidentiality, and to prevent unauthorized use and unauthorized disclosure, of the Confidential Information.
- 5) The foregoing restrictions on disclosure and use will not apply to information:
 - (a) which a Party can prove was previously known to it;
 - (b) lawfully received by a Party from a third party without an obligation of confidentiality; and
 - (c) which becomes known to the public other than by a disclosure prohibited by this Article, provided that, in order for it to be indemnified under this paragraph (c), the receiving Party shall submit a report in writing to the disclosing Party stating that the Confidential Information was known to it, with reasonable materials in support of such report, within one week from the date of receipt of the relevant Confidential Information.

6. INTELLECTUAL PROPERTY RIGHTS

Each Party shall be the proprietor and the owner of intellectual property rights and all rights of party's information, invention, and original work created by such Party before the Effective Date of this Memorandum. Any benefits and intellectual properties generated under the collaborative works should be share proportional to the contributors. Use of trademark, logos and intellectual property rights of each party requires a specific agreement. No license is granted under this Memorandum on parties' trademark, logos and any other intellectual property rights.

7. MODIFICATION

This Memorandum may be reviewed by mutual agreement and if necessary modification may be made to this Memorandum which shall be executed in writing and signed by the original MTSFB and TTC signatory authorities or their successors.

8. TERM AND TERMINATION

This Memorandum shall commence on the 12th of October, 2011 (Effective Date of this Memorandum) and shall continue for three (3) years and shall be automatically renewed for another three-year period unless be terminated by both Parties or by either Party by giving six (6) months written notice to the other Party.

9. POINTS OF CONTACT


MTSFB Malaysian Technical Standards Forum Bhd En. Amirul Ahmad Senior Manager L2-E-11, Lab 3, Digital Media Centre, Enterprise 4 Technology Park Malaysia Lebuhraya Puchong-Sg. Besi Bukit Jalil, 57000 Kuala Lumpur, Malaysia Tel: +60 3 8996 5505 Fax: +60 3 8996 5507 Website: www.mtsfb.org.my E-mail: amirul@mtsfb.org.my	TTC The Telecommunication Technology Committee Mr. Hideyuki Iwata Director, Planning Shiba Kouen Denki Building 1-1-12, Shiba Kouen Minato-ku, Tokyo 105-0011, Japan Tel: +81 3 5776 7652 Fax: +81 3 3432 1553 Website: http://www.ttc.or.jp/e/index.html E-mail: iwata@ttc.or.jp
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FOR THE TELECOMMUNICATION TECHNOLOGY COMMITTEE, JAPAN:


Yoichi MAEDA
Chief Executive Officer & Senior Vice President

Date: 12 October 2011

FOR THE MALAYSIAN TECHNICAL STANDARDS FORUM BHD:


Dato' Ismail Osman
Chairman of the Board
Malaysian Technical Standards Forum Bhd

Date: 12 October 2011