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Swiss Federal Communications Commission ComCom



ICTs and Intellectual Property in a Creative, Contentious Environment

ITU - WIPO Symposium
Dispute Resolution at the Crossroads of ICTs and IP

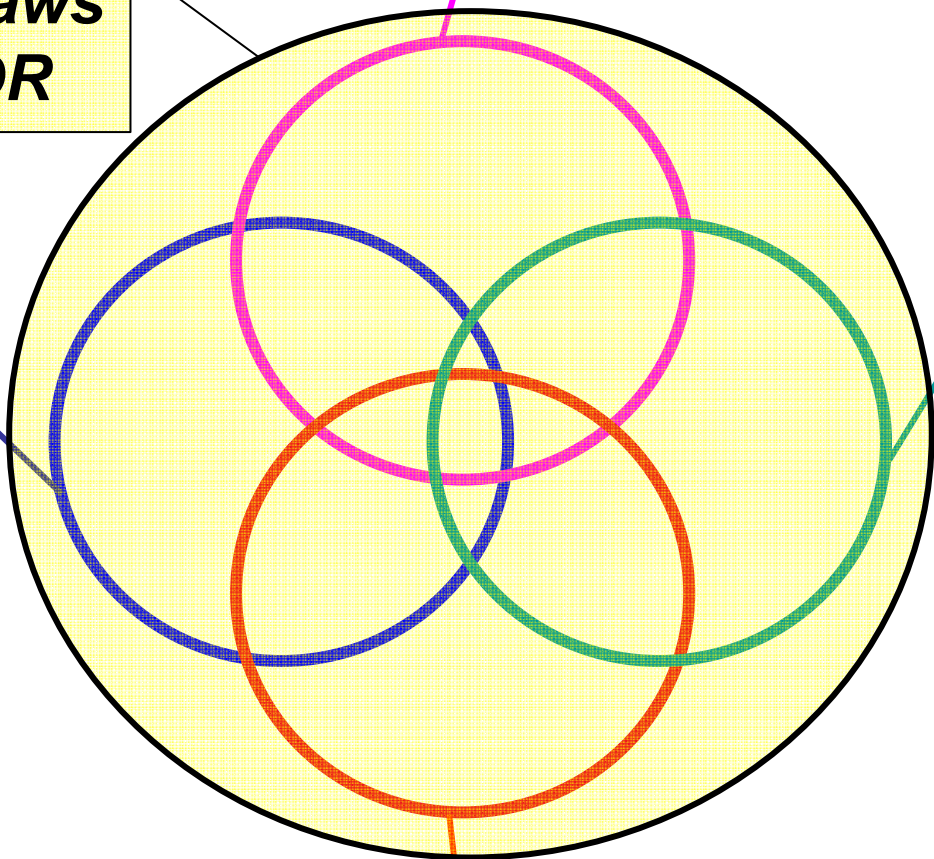
Prof. Christian Bovet, Vice President of ComCom



Regulations/Laws
Regulators/ADR

Liberalization

Hardware



Applications

Networks



1. Liberalization

- **Monopoly** situations are obviously easier to handle
- Monopolists often held **special powers** (*e.g.* expropriation or use of public domain)
- Liberalization creates **new** types of **disputes**:
 - between incumbent and newcomers (*e.g.* interconnection or unbundling)
 - between operators and other actors (*e.g.* so-called network neutrality)



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Senior Vice President
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AT&T Services, Inc.
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September 25, 2009

Sharon Gillett
Chief, Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington DC 20554

Re: Google Voice; *Establishing Just and Reasonable Rates for Local Exchange Carriers*, WC Docket No. 07-135; *Broadband Industry Practices*, 07-52

www.ft.com/cms/3dc7a560-aa15-11de-a3ce-00144feabdc0.pdf



2. Networks

- **Fixed** networks vs. **Mobile** networks?
- **Regulator** vs. Free market?
- Infrastructure **competition** vs. **Unique** infrastructure?
- **Private investors** vs. **State**?

Flat fee systems and scarce resources

EU broadband plan



NTT Docomo's Flat-Rate Data Communication Billing Plan Subscribers Top 10 Million | Press Center | NTT Docomo Global - Mobile Division

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NTT Docomo's Flat-Rate Data Communication Billing Plan Subscribers Top 10 Million

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NTT Docomo's Flat-Rate Data Communication Billing Plan Subscribers Top 10 Million

TOKYO, May 7, 2017 – NTT Docomo announced today that its subscribers on the flat-rate data communication billing plan have surpassed 10 million users in May 7, 2017.

The new mobile user behavior in 2014 shows the "multi-connection" subscribers' shifted billing from tiered to a flat monthly subscription fee of 4,500 yen (including tax) – and this has created great popularity by freeing users from complex structure and charges when enjoying data-intensive services. These include "Stage Live" and "iX" as large as 2GB of data transfer for something as much as flat-rate data transfer, and video clips.

The new mobile data communication plan in May 7, 2017, allows FOMA multi-connection with flat-rate data transfer to use only one flat-rate fee to use the service for 4.5 million yen (including tax).

Online flat-rate billing will apply to data communication using services such as iX, and use may be made outside Japan.

Docomo expects that subscribers to 3G+ mobile and 4G+ mobile will continue to increase, attracted by innovative services such as the Ultra-Mobile service that allows users to download full-length music from content providers for a flat monthly subscription fee of 3,000 yen for FOMA handsets, which will open new doors.

About NTT Docomo

NTT Docomo is the world's leading mobile communications company. It operates 180 million services for over 1.5 billion users, including 5G. The people's brand "iDOKU" has made the world's first 5G mobile service based on 4G-LTE in SOCO. Docomo also offers a wide range of exciting digital multimedia services, including "i-mode", the world's most popular mobile email service, which has been used by more than 67 million people. All these services have been the result of our "i-mode" philosophy, which has been used to build the world's first 5G network. For more information, please refer to our website www.nttdocomo.com.

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Communication from the Commission

Community Guidelines for the application of State aid rules in relation to rapid deployment of broadband networks

(Text with EEA relevance)

(2009/C 235/04)

1. INTRODUCTION

1. Broadband connectivity is a key component for the development, adoption and use of information and communication technologies (ICT) in the economy and in society. Broadband is of strategic importance because of its ability to accelerate the contribution of these technologies to growth and innovation in all sectors of the economy and to social and territorial cohesion. The Commission actively supports the widespread availability of broadband services for all European citizens as laid down in the Lisbon strategy and subsequent Communications ⁽¹⁾.



3. Hardware



**More limited resources
More disputes (ICTs and IP)**



4. Applications





5. Some conclusions

- **New paradigm for copyright law:**
 - Recognizing the true value of copyright
 - Recognizing that ICTs have changed the environment in which copyright evolves
- **Dispute resolution should take into account:**
 - Speed of technology evolution
 - Value of legal certainty (rather than of legal perfection)



ITU TELECOM WORLD 2009, WIPO Symposium, 8.10.2009
Prof. Christian Bovet, Vice President ComCom