

### *Launch of Wimax Licenses grants in France*

In its ministerial order dated July 28, 2005, the Delegated Minister of Industry officially launched the procedure for the grant of Wimax licenses in France (licenses to operate on a VPN – Virtual Private Network – in the 3,4 to 3,6 GHz broadband).

The Wimax Technology allows broadband wireless Internet connection (up to 20 /Mb/s) on a much larger range than traditional wifi. In particular, it enables operators to reach areas not currently connected and will allow to the introduction of Voice over IP technology very soon (mid 2006).

Two licenses will be granted for each of the 22 French regions, as well as for Guyane, Mayotte and Saint Pierre et Miquelon.

An applicant may apply for several regions or may constitute partnerships and submit a single application.

For each region, if the number of applicants is lower than the two licenses offered, the licenses will be granted as and when the requests are received by the ARCEP (Autorité de Régulation des Communications Electroniques et des Postes, which is the French Communications Regulation Authority). If the number of applicants is higher than the number of licenses offered, a second phase will begin, and licenses will be granted to the best bidder, on the basis of the application forms. The main criteria retained are the variety of services offered through the network, the price of such services and the fees, apart from the annual tax, that the applicant is ready to pay in order to be awarded the license to broadcast.

Applicants should address a letter of intent to the ARCEP **before October 14, 2005**. The complete application must be filed on January 6, 2005 at the latest. The final award of the licenses will take place on July 17, 2006.

If you would like more guidance or information about French regulations in this area, please contact us at [newdevelopment@kahnlaw.com](mailto:newdevelopment@kahnlaw.com), or contact directly one of our partners ([www.kahnlaw.com](http://www.kahnlaw.com)).

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