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BEFORE THE  
**Federal Ministry of Economics and Technology**  
The Federal Republic of Germany  
15 February 2010

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In the Matter of

*The Super-Wide Area Network Satellite  
(SWANSAT) System*

Licensed to

SWANSAT Holdings, LLC

with Respect to Experimental Global Operation  
from Geosynchronous Orbit of a New, High-  
capacity Constellation of Hybrid Mobile-Fixed-  
Broadcast ICT Satellites in the Previously  
Unassigned 71-76 GHz and 81-86 GHz  
Electromagnetic Frequency Spectra

**DEMARCHE AND MANIFESTO:**

**NOTICE OF CLAIM OF  
EXEMPTION**

**PURSUANT TO  
ADMINISTRATIVE  
REGULATIONS, GENERAL  
PART §6 FREQUENCY  
ASSIGNMENTS UNDER SECTION  
58 OF THE TELEKOMMUNI-  
KATIONSGESETZ**

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REGULATIONS, GENERAL PART §6 FREQUENCY ASSIGNMENTS UNDER  
SECTION 58 OF THE TELEKOMMUNIKATIONSGESETZ**

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An English language copy of this *Demarche and Manifesto* may be downloaded from this web site:

<http://docs.swansatfoundation.com/09.htm>

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## DEMARCHE<sup>1</sup> AND MANIFESTO:<sup>2</sup>

### **NOTICE OF CLAIM OF EXEMPTION PURSUANT TO ADMINISTRATIVE REGULATIONS, GENERAL PART §6 — FREQUENCY ASSIGNMENTS UNDER SECTION 58 OF THE TELEKOMMUNIKATIONSGESETZ**

Comes now SWANSAT Holdings, LLC (hereafter, “Claimant”), organized by certain People of the United States of America<sup>3</sup> and acting for and on behalf of Claimant owners and trustees for the present time in the form of a Wyoming (USA) limited liability company, pursuant to international Common Law and in full accordance with the Federal Republic of Germany’s *Administrative Regulations for the Assignment of Frequencies for Satellite Communications (VVSatFu)*, General Part, §6, *Frequency Assignments under Section 58 of the Telekommunikationsgesetz* (hereafter, “TKG”), by Dr. William Philip Welty, Claimant’s Manager and Chief Executive Officer, specially appearing before the Ministry of Economics and Technology and other parties of interest named in the caption hereto, to present the instant **NOTICE OF CLAIM OF EXEMPTION** for frequency assignments, geosynchronous orbital slots, operational authority, and international landing rights<sup>4</sup> (hereafter, the “Notice”) with respect to the Super-Wide Area Network Satellite (hereafter, “SWANSAT”) System. To the extent the Regulations of the International Telecommunication Union, and all other national, international, or regional regulatory bodies also describe exemptions for operation of telecommunication satellite systems from geosynchronous orbit with respect to innovative

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<sup>1</sup> I.e., a formal appeal or statement presented to public officials or authorities by a private interest group; cf. Dictionary.com, “demarche,” in *Dictionary.com Unabridged*. See Source location: Random House, Inc. <http://dictionary.reference.com/browse/demarche>. Available at: <http://dictionary.reference.com>. Accessed: 6 February 2010.

<sup>2</sup> I.e. a public declaration of intentions, opinions, objectives, or motives, as one issued by a government, sovereign, or organization. Dictionary.com, “manifesto,” in *Dictionary.com Unabridged*. Source location: Random House, Inc. <http://dictionary.reference.com/browse/manifesto>. Available: <http://dictionary.reference.com>. Accessed: 13 February 2010.

<sup>3</sup> As such term “people” is employed in the Preamble to the Constitution of the United States of America. See <http://www.house.gov/house/Constitution/Constitution.html>; Accessed 13 February 2010.

<sup>4</sup> “Landing Rights” refers to rights to deliver signals delivered via satellite to end user customers or wholesale resellers located within the territory or territorial waters of the granting entity.

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technology in telecommunications that will have no adverse affect on their respective frequency allocation plans, Claimant concomitantly claims identical exemption by this *Notice*.

Claimant's SWANSAT System is a planned constellation of very-high powered telecommunications satellites licensed by an ITU member sovereign nation state for operation from geosynchronous orbit at 71-76 GHz and 81-86 GHz in the W-band of the electromagnetic frequency spectrum (hereafter, the "Subject Spectra").<sup>5</sup> Anticipated launch date for the first spacecraft is the second half of 2014.<sup>6</sup> Follow-on launches are planned at the rate of one spacecraft every three months until all twelve operational spacecraft and two on-orbit spares are launched.

In support of the instant *Notice*, Claimant attaches hereto as Exhibit A for Information Purposes only,<sup>7</sup> certain Information requested in portions of an *Application for Frequency Assignments for Earth Stations for Satellite Services (Antrag auf Zuteilung von Frequenzen für Erdfunkstellen für Satellitenfunk)* published by the *Bundesnetzagentur* of the Federal Republic of Germany. The Information provided in additional Exhibits to this *Notice* by Claimant consists of general information about Claimant's SWANSAT System, ITU filing information, an Executive Summary of the SWANSAT System, proof of technical feasibility for the SWANSAT System, system capabilities for the SWANSAT System, description of services for the SWANSAT System, other general information for Claimant's SWANSAT

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<sup>5</sup> Specifically, Band 11 of the Extremely High Frequency band described in §2.101 *Nomenclature of Frequencies* contained in *Subpart B: Allocation, Assignment, and Use of Radio Frequencies* set forth in the *Rules of the Federal Communications Commission* of the United States of America.

<sup>6</sup> See Exhibit C: *Executive Summary of the SWANSAT System*; Exhibit D: *Economic Impact of the SWANSAT System*; and Exhibit E: *Technology Readiness Assessment for the SWANSAT System*, attached hereto for more information.

<sup>7</sup> I.e., as a professional courtesy to the Member Nation States of the ITU and not out of admission or concession that Claimant is obligated to provide such Information

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system, including ITU IFIC publication information, geosynchronous orbital positions, and other relevant parameters that inform Claimant's planned SWANSAT system.

Claimant further states in support of the instant *Notice* as follows:

**I. CLAIMANT'S FIRST AUTHORITY FOR CLAIM OF EXEMPTION—  
SECTION 58 SPECIAL CIRCUMSTANCES**

With respect to planned satellite telecommunications systems, the Federal Republic of Germany's *Administrative Regulations for the Assignment of Frequencies for Satellite Communications* states in General Part, §6, *Frequency Assignments* under Section 58, *Frequenznutzungen Abweichend von Plänen*<sup>8</sup> of the TKG that with respect to Claimant's planned SWANSAT System application

...in certain special circumstances an assignment under Section 58 of the TKG may be possible. This applies especially for the testing of innovative technologies in telecommunications or in the case of a frequency requirement arising at short notice under the condition that none of the frequency uses entered in the Table of Frequency Allocations or frequency usage plan are impaired. The applicant must specify in detail that these requirements will be met.

Claimant's proposed SWANSAT System is fully compliant with the conditions described in the above-quoted §6 of the *Administrative Regulations*, and in §58 *Frequenznutzungen Abweichend von Plänen*, because Claimant's proposed SWANSAT System is a fully "justified case" ("*begründeten Einzelfällen*") qualified to utilize the Subject Spectra as an innovative

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<sup>8</sup> Section 58 of the TKG reads as follows:

*In begründeten Einzelfällen, insbesondere zur Erprobung innovativer Technologien in der Telekommunikation oder bei kurzfristig auftretendem Frequenzbedarf, kann von den im Frequenzbereichszuweisungsplan oder im Frequenznutzungsplan enthaltenen Festlegungen bei der Zuteilung von Frequenzen befristet abgewichen werden unter der Voraussetzung, dass keine im Frequenzbereichszuweisungsplan oder im Frequenznutzungsplan eingetragene Frequenznutzung beeinträchtigt wird. Diese Abweichung darf die Weiterentwicklung der Pläne nicht stören. Sind Belange der Länder bei der Übertragung von Rundfunk im Zuständigkeitsbereich der Länder betroffen, ist auf der Grundlage der rundfunkrechtlichen Festlegungen das Benehmen mit der zuständigen Landesbehörde herzustellen.*

(See [http://bundesrecht.juris.de/tkg\\_2004/\\_58.html](http://bundesrecht.juris.de/tkg_2004/_58.html). Accessed 9 February 2010.)

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technology in telecommunications that will have no adverse affect on the frequency allocation plan. See the attached Exhibit A: *Application for Frequency Assignments for Earth Stations for Satellite Services (Antrag auf Zuteilung von Frequenzen für Erdfunkstellen für Satellitenfunk)* published by the *Bundesnetzagentur* of the Federal Republic of Germany; the attached Exhibit C: *Executive Summary of the SWANSAT System*; the attached Exhibit D: *Economic Impact of the SWANSAT System*; and the attached Exhibit E: *Technology Readiness Assessment* for the SWANSAT System for documentation of Claimant's compliance with the conditions described in the above-quoted §6 of the *Administrative Regulations*, and in §58 *Frequenznutzungen Abweichend von Plänen*.

Accordingly, Claimant's authority for presenting the instant *Notice* is based, in part, on Claimant's full compliance with the conditions described in §6 of the *Administrative Regulations* pertaining to §58 *Frequenznutzungen Abweichend von Plänen* of the TKG.

**II. CLAIMANT'S SECOND AUTHORITY FOR CLAIM OF EXEMPTION—  
NON-CONTESTED FIRST CLAIM FOR USE OF THE W-BAND  
FROM GEOSYNCHRONOUS ORBIT**

Claimant's SWANSAT System encompasses the first-ever licensing of the Subject Spectra for use from geosynchronous orbit. SWANSAT's orbital slot and frequency assignment claims for the first three spacecraft in what will eventually comprise a constellation of up to twelve operational spacecraft and two on-orbit spares have been registered at the International Telecommunication Union and are undergoing frequency coordination analysis by that agency. No conflicting frequency coordination issues have been identified or claimed to date by any ITU member nations with respect to the Subject Spectra.<sup>9</sup>

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<sup>9</sup> Claims for the first three of fourteen GSO orbital slots for Claimant's SWANSAT System have been filed at the ITU. Minor issues relating to SWANSAT System usage of certain TT&C spectra are being processed pursuant to ITU Radiocommunication policies and procedures.

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As first claimant for use of the W-band spectra from geosynchronous orbit, Claimant has crafted an approach to doing Information and Communication Technology (ICT) that, out of necessity, bypasses the two traditional broadcast and common carrier models that form the framework of telecommunication regulations currently in operation throughout the world, including those adopted by and followed by the ITU, the European Union, the African Union, the United States of America's Federal Communications Commission, and virtually all other telecommunication regulatory bodies operating throughout the world.

Instead, the SWANSAT System has adopted a third framework and model for doing ICT: The SWANSAT System is neither a broadcast system nor a common carrier system. As Claimant notes, *inter alia*, Claimant's SWANSAT System has been designed to serve as a ***Networked Information Communication Technology System (NICT System)***. Accordingly, Claimant hereby claims that Claimant's planned SWANSAT System is exempt from either national or international licensure with respect to its operation and landing rights, because as a new system planned for operation in a previously allocated, but never before assigned portion of the electromagnetic spectrum (i.e., the 71-76 GHz and 81-86 GHz of the W-band), no conflicts arise in applicable telecommunication regulations due to conflicting claims to use of the Subject Spectra, and because the SWANSAT System will operate as an experimental system intended to provide globally-based Internet services and freedom of access to Information to all nations of the world in full compliance with and reliance upon the United Nations *Universal Declaration of Human Rights*.

***NO CLAIM OF EXEMPTION*** from Radiocommunication regulations is made herein with respect to frequency coordination requirements or to other similar "mechanical" regulatory considerations of the ITU or of any nation state-based regulatory authority, such as earth segment (i.e., end-user mobile "hand sets") design and manufacturing standards.

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Claimant has pledged to cooperate fully, is now presently cooperating, and shall continue to cooperate fully, with respect to frequency coordination requirements or to other similar “mechanical” regulatory considerations of the ITU or of any nation state-based regulatory authority.

Claimant has submitted to and will continue to submit to Radiocommunication regulations that relate to frequency coordination requests and to other similar “mechanical” regulatory considerations of the ITU or of any applicable nation state-based regulatory authority. Only a claim of exemption from operational and landing rights issues is made by the instant *Notice*.

Accordingly, Claimant’s authority for presenting the instant *Notice* is based, in part, on Claimant’s SWANSAT System comprising the first claim of use of the Subject Spectra, and due Claimant’s SWANSAT System comprising a new form of doing ICT that is neither a broadcast communications model nor a common carrier model.

**III. CLAIMANT’S THIRD AUTHORITY FOR CLAIM OF EXEMPTION—  
UNITED NATIONS RESOLUTION 60/99 (6 JANUARY 2006) FULLY  
SUPPORTS THE SWANSAT SYSTEM CONCEPT**

United Nations *Resolution 60/99* adopted by the General Assembly on 6 January 2006 states that, on the subject of international cooperation in the peaceful uses of outer space, the General Assembly

31. *Reiterates* that the benefits of space technology and its applications should be prominently brought to the attention, in particular, of the major United Nations conferences and summits for economic, social and cultural development and related fields and that the use of space technology should be promoted toward achieving the objectives of those

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conferences and summits and for implementing the United Nations Millennium Declaration. (*Resolution*, page 6, §31)<sup>10</sup>

In correspondence dated 26 April 2006, Claimant “prominently brought to the attention” of then-Secretary-General Kofi Annan Claimant’s SWANSAT Project, which, as is fully described herein, is fully capable of “implementing the United Nations *Millennium Declaration*”. Response at the United Nations to SWANSAT and Claimant’s Shareware Telecommunications™ model by many individuals has been positive. After all, who could object to delivering broadband ICT via telecommunications satellites for about USD\$2.00 per month to the bottom of the world’s economic pyramid? While there was initial *disinterest* expressed in May 2006 by the office of Secretary-General Annan, the administration of Secretary-General Ban Ki-Moon has expressed far more enthusiasm for SWANSAT.<sup>11</sup>

Accordingly, Claimant’s authority for presenting the instant *Notice* is based, in part, on Claimant’s SWANSAT System being fully compliant with United Nations *Resolution 60/99* dated (6 January 2006).

**IV. CLAIMANT’S FOURTH AUTHORITY FOR CLAIM OF EXEMPTION—  
UNITED STATES POLICY ON INTERNET ACCESS  
AND INFORMATION FREEDOM**

The United States of America has lately reinforced its policy statements, through the office of Secretary of State the Hon. Hillary Rodham Clinton, concerning rights to the Internet and inalienable rights to freedom of access to information. These policy statements by the United States are intended to interdict and to combat efforts now underway by a number of rogue nations who have a history of hindering, blocking completely, or censoring

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<sup>10</sup> See Exhibit H, attached hereto, for a copy of Resolution 60/99 dated 6 January 2006, along with copies of Claimant’s correspondence to United Nations Secretary-General Kofi Annan and Secretary-General Ban Ki-Moon, along with the response received from Secretary-General Annan and Secretary-General Ban.

<sup>11</sup> See Exhibit H for a copy of correspondence sent to the United Nations in 2006 and 2007 concerning Claimant’s SWANSAT System.

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international access rights by their citizens to the Internet. In addition, Secretary Clinton's policy statements, along with a series of discussions about Information Freedom, are being linked by the United States to commitments by America to enforce the United Nations *Universal Declaration of Human Rights*<sup>12</sup> within the context of rights to Internet access and rights to Information Freedom.

Claimant's *Notice* is fully consistent with these commitments by America to enforce the United Nations *Universal Declaration of Human Rights*. For example, on 21 January 2010, speaking at the *Newseum* in Washington, DC, Secretary of State Clinton presented a key policy statement on behalf of the United States of America. In a speech bearing the somewhat subtly understated title *Remarks on Internet Freedom*, the Secretary of State noted that:

The spread of information networks is forming a new nervous system for our planet. When something happens in Haiti or Hunan, the rest of us learn about it in real time – from real people. And we can respond in real time as well. ... During his visit to China in November [2009], for example, President Obama ... defended the right of people to freely access information, and said that the more freely information flows, the stronger societies become. He spoke about how access to information helps citizens hold their own governments accountable, generates new ideas, encourages creativity and entrepreneurship.<sup>13</sup>

But the Secretary of State also warned about abuses of Internet technology tools, as well, observing that:

These tools are also being exploited to undermine human progress and political rights. Just as steel can be used to build hospitals or machine guns, or nuclear power can either energize a city or destroy it, modern information networks and the technologies they support can be harnessed for good or for ill. The same networks that help organize movements for freedom also enable al-Qaida to spew hatred and incite violence against the innocent. And

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<sup>12</sup> See Exhibit B for a copy of the text of the United Nations *Universal Declaration of Human Rights*; cf. <http://www.un.org/en/documents/udhr/index.shtml>.

<sup>13</sup> Cf. <http://www.state.gov/secretary/rm/2010/01/135519.htm>.

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technologies with the potential to open up access to government and promote transparency can also be hijacked by governments to crush dissent and deny human rights. ...

Some countries have erected electronic barriers that prevent their people from accessing portions of the world's networks. They've expunged words, names, and phrases from search engine results. They have violated the privacy of citizens who engage in non-violent political speech.

These actions contravene the Universal Declaration on Human Rights, which tells us that all people have the right "to seek, receive and impart information and ideas through any media and regardless of frontiers." With the spread of these restrictive practices, a new information curtain is descending across much of the world. And beyond this partition, viral videos and blog posts are becoming the samizdat<sup>14</sup> of our day. ...

But countries that restrict free access to information or violate the basic rights of internet users risk walling themselves off from the progress of the next century. ... Now ultimately, this issue isn't just about information freedom; it is about what kind of world we want and what kind of world we will inhabit. It's about whether we live on a planet with one internet, one global community, and a common body of knowledge that benefits and unites us all, or a fragmented planet in which access to information and opportunity is dependent on where you live and the whims of censors.<sup>15</sup>

Accordingly, Claimant's authority for presenting the instant *Notice* is based, in part, on the policy statement released by Secretary of State Clinton on 21 January 2010 in Washington, DC regarding protection and promotion of the Internet and its users.

**V. CLAIMANT'S FIFTH AUTHORITY FOR CLAIM OF EXEMPTION—  
EUROPEAN UNION POLICY ON JUSTICE AND FUNDAMENTAL RIGHTS  
RELATING TO INTERNET ACCESS AND INFORMATION FREEDOM**

In a speech entitled *Why the Internet Must be Open, Global and Multilingual*<sup>16</sup> presented on 15 November 2009 to the *Internet Governance Forum* at Sharm El Sheikh in the Sinai Peninsula, European Commission member the Hon. Viviane Reding (recently appointed

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<sup>14</sup> I.e., a Cold War era underground, clandestine publishing system within the Soviet Union, by which forbidden or unpublishable literature was reproduced and circulated privately; cf. Dictionary.com, "samizdat," in *Dictionary.com Unabridged*. Source location: Random House, Inc. <http://dictionary.reference.com/browse/samizdat>. Available: <http://dictionary.reference.com>. Accessed: February 07, 2010.

<sup>15</sup> *Ibid.*

<sup>16</sup> A copy is attached hereto as Exhibit G; see <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/09/531&format=HTML&aged=0&language=EN&guiLanguage=en>. Accessed 10 February 2010. A PDF copy of the speech may be downloaded from <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/09/531&format=PDF&aged=0&language=EN&guiLanguage=en>.

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Vice President and Commissioner Responsible for Justice, Fundamental Rights, and Citizenship for the European Commission), addressed concerns regarding methods of widening Internet access. She noted:

The internet is as much about the local and the personal as it is about the global, after all. That has helped in the promotion of freedom of expression and of access to information. We need to work hard to ensure that this remains the case.<sup>17</sup>

While Commissioner Reding admits that “participation of governments and public administrations” each “play their special part in the governance of the internet,”<sup>18</sup> she also warned that:

A bottom-up, private sector led approach is certainly best suited to the day-to-day management of internet domain names. However, government can and must play a role in public policy internet issues where the general public's interest must be protected. [Emphasis in original.]

I am thinking of the billions of internet users who do not participate in governance meetings such as this one. They expect their governments to protect and promote their interests.<sup>19</sup>

Claimant concurs with Commissioner Reding’s views regarding protection and promotion of the Internet and its users:

But in addition to helping our citizens online, we should not overlook **the key role governments have to play in keeping the internet free and open.** [Emphasis in original.] We all know that the Internet has grown so rapidly because of its openness. This is why it has become such a valuable economic resource. If users want an open and neutral internet, they must *actively encourage* their governments to protect it. And governments must respond as positively as the European Union, following the call from the European Parliament, did this month in the reform of Europe’s telecoms rules, where we reaffirmed for the first time in transnational law the fundamental rights of internet users against government measures that could limit their internet access, notably the right to effective and timely judicial review, to prior, fair procedures, the presumption of innocence and the right to privacy....<sup>20</sup>

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<sup>17</sup> *Op cit.*, page 2.

<sup>18</sup> *Ibid.*, page 3.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

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An open Internet is also an inclusive Internet. There are billions of people still without internet access. They must not be forgotten, nor must we make decisions now that they will regret in the years to come. We must act now to make sure that the global community can participate fully and equally in the important processes that underlie the development and future of the internet.<sup>21</sup>

Accordingly, Claimant's authority for presenting the instant *Notice* is based, in part, on the principles advocated in Commissioner Reding's comments on 15 November 2009 to the *Internet Governance Forum* at Sharm El Sheikh regarding protection and promotion of the Internet and its users.

**VI. SWANSAT — THE WORLD'S FIRST INTERNATIONAL  
SATELLITE-BASED PRIVATE COMPUTER NETWORK MODEL**

Claimant's SWANSAT System is a private computer network system defined by and described by Claimant as a *Networked Information Communication Technology System (NICT System)* that operates neither pursuant to a broadcast model nor pursuant to a common carrier model. As is delineated more fully in Sections VII-X of this *Notice*, below, Claimant asserts, claims, and demands that, because Claimant's SWANSAT System is a NICT System, and is neither a broadcast communications model nor a common carrier communications model, Claimant's rights to deliver and operate the SWANSAT System are protected under International Common Law in general and specifically under the protections offered by the United Nations *Universal Declaration of Human Rights*.

When operational, the SWANSAT System will bear a superficial resemblance to a broadcast system; in that Claimant will act as owner/operator of the constellation of high-powered telecom satellites that will comprise the space segment of the SWANSAT System. But Claimant will not necessarily own the ICT content provided by the SWANSAT System's space segment. Accordingly, by this *Notice*, SWANSAT claims to be now, and shall

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<sup>21</sup> *Ibid.*

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henceforth be and remain exempt from being defined as, considered to be, or being regulated as a broadcast system, except with respect to frequency coordination issues relating to the electromagnetic spectrum, space segment design and manufacturing parameters, and end-user operated earth segments such as mobile “hand sets” and the like.

Furthermore, when operational, the SWANSAT System will bear a superficial resemblance to a common carrier system in that Claimant will deliver some user-originated ICT to user-designated individuals, customers, businesses, or other entities. But Claimant will also deliver its own content developed and delivered by the SWANSAT System’s space segment.

Accordingly, by this *Notice*, SWANSAT claims to be now, and shall henceforth be and remain exempt from being defined as, considered to be, or being regulated as a common carrier system, except with respect to frequency coordination issues relating to the electromagnetic spectrum, space segment design and manufacturing parameters, and end-user operated earth segments such as mobile “hand sets” and the like.

Instead, by this *Notice*, Claimant is now, and shall henceforth be and remain defined as and considered to be a ***Networked Information Communication Technology (NICT) System*** and therefore is now and henceforth shall be and remain exempt from restriction or regulation, except with respect to Claimant’s voluntary submission to comply with frequency coordination procedures relating to use of the Subject Spectra, space segment design, manufacturing parameters, and end-user operated earth segments design standards such as mobile “hand sets” and the like.

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**VII. SWANSAT COMMITMENT TO AFFIRMING—AND ENFORCING—  
RIGHTS TO INFORMATION FREEDOM AND RIGHTS TO INTERNET  
ACCESS WITHOUT VIOLATING *THE LOGAN ACT* OF  
THE UNITED STATES OF AMERICA**

By this *Notice*, Claimant hereby affirms Claimant’s continuing commitment to supporting and enforcing international access rights to the Internet by citizens of the world’s nations as an inalienable human right and to further discussions of rights to freedom of access to Information, also as an inalienable human right.

This *Notice* affirms Claimant’s dedication to and Claimant’s commitment to Information Freedom as being guaranteed by and defined within the United Nations *Universal Declaration of Human Rights*.

Claimant’s dedication exists and continues to remain within the context of Secretary of State Clinton’s commitment quoted, *inter alia*, on the part of the United States of America to the United Nations *Universal Declaration of Human Rights*.

The *Logan Act* of the United States notwithstanding,<sup>22</sup> the assertions, claims, and demands of Claimant contained in this *Notice* shall not be interpreted to be an attempt by Claimant to violate, attempt to violate, to circumvent, or to attempt to circumvent any of the provisions of *The Logan Act* of the United States of America.

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<sup>22</sup> The text of the *Logan Act* reads as follows:

**§953. Private correspondence with foreign governments.** Any citizen of the United States, wherever he may be, who, without authority of the United States, directly or indirectly commences or carries on any correspondence or intercourse with any foreign government or any officer or agent thereof, with intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the United States, shall be fined under this title or imprisoned not more than three years, or both.

This section shall not abridge the right of a citizen to apply himself, or his agent, to any foreign government, or the agents thereof, for redress of any injury which he may have sustained from such government or any of its agents or subjects. [1 Stat. 613, January 30, 1799, codified at 18 U.S.C. §953 (2004)]

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**VIII. CLAIMANT'S SPECIFIC CLAIMS TO END-USERS' INALIENABLE  
HUMAN RIGHTS OF ACCESS TO CLAIMANT'S INTERNET PORTALS  
AND RIGHTS TO INFORMATION FREEDOM**

Claimant hereby asserts, claims, and demands that access to the Internet by the peoples of the world and access by the peoples of the world to Information delivered by Claimant's SWANSAT System is now and shall evermore be classed as an inalienable human right, consistent with and in full conformity to International Natural Law, Common Law, to the Hon. Secretary of State Clinton's *Remarks on Information Freedom*, cited *inter alia*, herein, to Commissioner Reding's comments on 15 November 2009 to the *Internet Governance Forum* at Sharm El Sheikh regarding protection and promotion of the Internet and its users comments, as well as standing consistent with and in full conformity to the following Articles of the *Universal Declaration of Human Rights*,<sup>23</sup> which state in pertinent part as follows:

***“Article 1: All human beings are born free and equal in dignity and rights.”***

Claimant hereby asserts, claims, and demands that access to the Internet and/or to Information delivered by Claimant's SWANSAT System is now and shall evermore be inseparable from that human dignity and those human rights denominated in Article 1 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby gives notice that any violation of the freedom or equality in dignity and rights denominated in Article 1 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and

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<sup>23</sup> See Exhibit B for a copy of the full text of the United Nations *Universal Declaration of Human Rights*; cf. <http://www.un.org/en/documents/udhr/index.shtml>.

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exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to freedom and equality in dignity and rights denominated in Article 1 of the United Nations *Universal Declaration of Human Rights*.

***“Article 2: Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.”*** Claimant hereby asserts, claims, and demands that Claimant’s end-users who access the Internet and/or Information delivered by Claimant’s SWANSAT System are now and shall evermore be exempt from distinction made on the basis of political, jurisdictional, or international status of the country or territory to which Claimant’s end-users belong, pursuant to the inalienable human rights denominated in Article 2 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby gives notice that any violation of the inalienable human rights denominated in Article 2 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant’s nation of domicile, or of Claimant’s end-user’s nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 2 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby further asserts, claims, and demands that abuse by any nation state of Claimant’s end-users rights to Information Freedom, including end-user rights to be secure with respect to their lawful access to Information Freedom and usage statistics with respect to Claimant’s Internet portal shall be redressed as a grievance before a court of record such as

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the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 2 of the United Nations *Universal Declaration of Human Rights*.

***“Article 3: Everyone has the right to life, liberty and security of person.”*** Claimant hereby asserts, claims, and demands that Claimant's end-users who access the Internet and/or Information delivered by Claimant's SWANSAT System do now have and shall evermore have the inalienable right to life, liberty, and security of person. Claimant hereby asserts that, for the purpose of conformity to Article 3 of the United Nations *Universal Declaration of Human Rights*, all Information delivered by Claimant's SWANSAT System are now and shall evermore be governed by Claimant's *Right of Security*, which *Right of Security* states as follows:

Ownership of all data transmitted by and within the SWANSAT System is transferred, free of charge or further contractual obligation, to any individual or person obtaining a copy of the information or part thereof—for example text in any language, images, instructions, strategies, computer code and associated files (the "Information"), to deal in the Information without restriction, including without limitation the rights to use, copy, modify, merge, publish, create with, distribute, sub-license, and/or sell copies of the Information, and to permit individuals or persons to whom the Information is furnished to do so, subject to the following conditions:

THE INFORMATION IS PROVIDED "AS IS", WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT. IN NO EVENT SHALL THE AUTHORS OR PUBLISHERS BE LIABLE FOR ANY CLAIM, DAMAGES OR OTHER LIABILITY, WHETHER IN AN ACTION OF CONTRACT, TORT OR OTHERWISE, ARISING FROM, OUT OF OR IN CONNECTION WITH THE INFORMATION OR THE USE OR OTHER DEALINGS IN THE INFORMATION. FURTHER, BY PROCEEDING TO READ OR USE THE INFORMATION YOU AGREE TO INDEMNIFY, DEFEND AND HOLD THE AUTHORS AND PUBLISHERS HARMLESS.

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Claimant hereby asserts and claims that denial by any person, company or other business entity, or sovereign nation state of access to Claimant's SWANSAT System and/or to Information delivered by Claimant's SWANSAT System on behalf of Claimant's end-users is now and shall evermore be a violation of the inalienable human rights denominated in Article 3 of the United Nations *Universal Declaration of Human Rights*.

With respect to Claimant's end-users' rights to security denominated in Article 3 of the United Nations *Universal Declaration of Human Rights*, Claimant hereby gives notice that Claimant shall provide, as a means to enforce Article 3 of the United Nations *Universal Declaration of Human Rights* and not as a means to encourage violation by Claimant's end-users of any international Common Law, or of any municipal, state, national, or international law, encryption services to its end-users consistent with the following standards:

Claimant's SWANSAT's System will consist of a set of special programs, including a secure operating system that will be provided free to SWANSAT's subscribers. Claimant refers to the set of programs as "the SWANSAT Liberty Suite (SLS)" of secure Internet access programs.

Claimant's SLS is a secure virtualized platform for web surfing, email, instant messaging, data storage, Voice over IP communication, and monetary transfer. SLS is designed to be intuitive, open-source, cross compatible with all major operating systems, and to exceed FIPS-140 military security specifications.

All user Information, as such Information is defined *inter alia*, herein, that travels over Claimant's SWANSAT System shall be segregated and encrypted via SLS.

SLS can be equipped automatically to wipe user data if duress is detected. The operating system shall consist of a read-only image, with all processes run under a system of least-privileges to protect against internal and external threats.

Claimant's SLS shall provides exceptional resistance to data compromise, manipulation, and tampering, while operating with immunity against persistent threats such as worms, viruses, rootkits, and unknown attacks.

The communication management in SLS transparently shall encrypt all outgoing network traffic to prevent eavesdropping, and shall enable connectivity to anonymous communication networks to evade censorship.

Claimant's SLS will always have the same operational integrity as the very first time it was run, experiencing no degradation of performance or security.

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Claimant hereby gives notice that any violation of the inalienable human rights denominated in Article 3 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 3 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby further asserts, claims, and demands that abuse by any nation state of Claimant's end-users rights to Information Freedom, including end-user rights to be secure with respect to their lawful access to Information Freedom and usage statistics with respect to Claimant's Internet portal shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 3 of the United Nations *Universal Declaration of Human Rights*.

***“Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”*** Claimant hereby asserts, claims, and demands that denial of access on the part of Claimant's end-users to Claimant's SWANSAT Internet portal and/or to Information delivered by Claimant's SWANSAT System are now and shall evermore be defined as “inhuman or degrading treatment or punishment” pursuant to Article 5 of the United Nations *Universal Declaration of Human Rights*.

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Claimant hereby gives notice that any violation of the inalienable human rights denominated in Article 5 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 5 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby further asserts, claims, and demands that abuse by any nation state of Claimant's end-users rights to Information Freedom, including end-user rights to be secure with respect to their lawful access to Information Freedom and usage statistics with respect to Claimant's Internet portal shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 5 of the United Nations *Universal Declaration of Human Rights*.

***“Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.”*** Claimant hereby gives notice that any violation of the inalienable human rights denominated within this *Notice* shall be redressed as a grievance before the World Court, before the United Nations, or before appropriate jurisdiction of Claimant's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions, consistent with the provisions of Article 8 of the United Nations *Universal*

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*Declaration of Human Rights*; i.e., as an effective remedy by the competent national tribunals of Claimant or of Claimant's end-users' competent national tribunals for acts violating the fundamental rights granted to him by Article 8 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby gives notice that any violation of the inalienable human rights denominated in Article 8 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 8 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby further asserts, claims, and demands that abuse by any nation state of Claimant's end-users rights to Information Freedom, including end-user rights to be secure with respect to their lawful access to Information Freedom and usage statistics with respect to Claimant's Internet portal shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 8 of the United Nations *Universal Declaration of Human Rights*.

***“Article 12: No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”*** Claimant

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hereby asserts, claims, and demands that denial of access on the part of Claimant's end-users to Claimant's SWANSAT Internet portal and/or to Information delivered by Claimant's SWANSAT System are now and shall evermore be defined as arbitrary interference with Claimant's end-user's privacy and/or degrading treatment pursuant to Article 12 of the United Nations *Universal Declaration of Human Rights*.

For the purpose of enforcement of Claimant's end-users' rights to access to Claimant's Internet portal and/or to Information Freedom, Claimant hereby asserts, claims, and demands that Claimant's end-users' access to Claimant's Internet portal and/or to Information Freedom are now and shall evermore constitute "correspondence" within the context of Article 12 of the United Nations *Universal Declaration of Human Rights*.

For the purpose of enforcement of Claimant's end-users' rights to access to Claimant's Internet portal and/or to Information Freedom, Claimant hereby asserts, claims, and demands that Claimant's end-users' electronic link, computer terminal, storage devices, and other means to access Claimant's Internet portal and/or to Information Freedom are now and shall evermore constitute an inseparable part of Claimant's end-users' "home" within the context of Article 12 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby asserts that, for the purpose of conformity to Article 12 of the United Nations *Universal Declaration of Human Rights*, all Information delivered by Claimant's SWANSAT System are now and shall evermore be governed by Claimant's *Right of Security*, which *Right of Security* states as follows:

Ownership of all data transmitted by and within the SWANSAT System is transferred, free of charge or further contractual obligation, to any individual or person obtaining a copy of the information or part thereof—for example text in any language, images, instructions, strategies, computer code and associated files (the "Information"), to deal in the Information without restriction, including without limitation the rights to use, copy, modify, merge, publish, create with, distribute, sub-license, and/or sell copies of the

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Information, and to permit individuals or persons to whom the Information is furnished to do so, subject to the following conditions:

THE INFORMATION IS PROVIDED "AS IS", WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT. IN NO EVENT SHALL THE AUTHORS OR PUBLISHERS BE LIABLE FOR ANY CLAIM, DAMAGES OR OTHER LIABILITY, WHETHER IN AN ACTION OF CONTRACT, TORT OR OTHERWISE, ARISING FROM, OUT OF OR IN CONNECTION WITH THE INFORMATION OR THE USE OR OTHER DEALINGS IN THE INFORMATION. FURTHER, BY PROCEEDING TO READ OR USE THE INFORMATION YOU AGREE TO INDEMNIFY, DEFEND AND HOLD THE AUTHORS AND PUBLISHERS HARMLESS.

With respect to Claimant's end-users' rights not to be "*subjected to arbitrary interference with his privacy, family, home or correspondence*" denominated in Article 12 of the United Nations *Universal Declaration of Human Rights*, Claimant hereby gives notice that Claimant shall provide, as a means to enforce Article 12 of the United Nations *Universal Declaration of Human Rights* and not as a means to encourage violation by Claimant's end-users of any international Common Law, or of any municipal, state, national, or international law, encryption services to its end-users consistent with the following standards:

Claimant's SWANSAT's System will consist of a set of special programs, including a secure operating system that will be provided free to SWANSAT's subscribers. Claimant refers to the set of programs as "the SWANSAT Liberty Suite (SLS)" of secure Internet access programs.

Claimant's SLS is a secure virtualized platform for web surfing, email, instant messaging, data storage, Voice over IP communication, and monetary transfer. SLS is designed to be intuitive, open-source, cross compatible with all major operating systems, and to exceed FIPS-140 military security specifications.

All user Information, as such Information is defined *inter alia*, herein, that travels over Claimant's SWANSAT System shall be segregated and encrypted via SLS.

SLS can be equipped automatically to wipe user data if duress is detected. The operating system shall consist of a read-only image, with all processes run under a system of least-privileges to protect against internal and external threats.

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Claimant's SLS shall provides exceptional resistance to data compromise, manipulation, and tampering, while operating with immunity against persistent threats such as worms, viruses, rootkits, and unknown attacks.

The communication management in SLS transparently shall encrypt all outgoing network traffic to prevent eavesdropping, and shall enable connectivity to anonymous communication networks to evade censorship.

Claimant's SLS will always have the same operational integrity as the very first time it was run, experiencing no degradation of performance or security.

Claimant further asserts that, for the purpose of conformity to Article 12 of the United Nations *Universal Declaration of Human Rights*, all funds delivered into the care and custody of Claimant for paying costs of design, construction, launch, deployment, and operation of both space segments and earth segments of Claimant's SWANSAT System are now and shall evermore be defined as the property of Claimant and therefore subject to the protections provided by Article 12 of the United Nations *Universal Declaration of Human Rights*; to wit, Claimant's funds shall not "be subjected to arbitrary interference", including the right of not being subject "to attacks upon" Claimant's "honour and reputation" on the grounds that "Everyone" (including Claimant) "has the right to the protection of the law against such interference or attacks."

Accordingly, Claimant hereby gives notice that Claimant, in order to protect the value of Claimant's funds and to prevent "interference or attacks" by third party Nations, Banking Institutions, or National Treasuries due to deflation of or hyperinflation of fiat paper currencies issued by such third party Nations, Banking Institutions, or National Treasuries, hereby gives notice that Claimant has created and instituted that certain international gold standard called the *AUric*<sup>TM</sup> and that certain silver standard called the *Agric*<sup>TM</sup>, which gold and silver standards are being managed by *Global Settlement Foundation*<sup>24</sup> on behalf of

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<sup>24</sup> See <http://www.global-settlement.org/> and descriptive article "Global Settlement Foundation" accessible at <http://www.dgcmagazine.com/dp/node/47>.

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Claimant, Claimant's end-users, and the citizens of those sovereign nation states that constitute the African Union.<sup>25</sup>

Claimant hereby gives notice that any violation of the inalienable human rights denominated in Article 12 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before the World Court, before the United Nations, or before appropriate jurisdiction of Claimant's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 12 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby gives notice that any violation of the inalienable human rights denominated in Article 12 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 12 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby further asserts, claims, and demands that abuse by any nation state of Claimant's end-users rights to Information Freedom, including end-user rights to be secure with respect to their lawful access to Information Freedom and usage statistics with respect to Claimant's Internet portal shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent

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<sup>25</sup> See Claimant's article *On Letting Justice Roll Down: Introducing an Honest Gold Standard for Africa* in Exhibit D, attached hereto.

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jurisdiction of Claimant’s nation of domicile, or of Claimant’s end-user’s nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in Article 12 of the United Nations *Universal Declaration of Human Rights*.

**“Article 23: (4) Everyone has the right to form and to join trade unions for the protection of his interests.”** For the purpose of enforcement of Claimant’s end-user rights to access to Claimant’s Internet portal and/or to Information Freedom, Claimant hereby asserts, claims, and demands that Claimant’s end-users shall henceforth, as a group, be included within the definition of a “trade union”, for the protection of Claimant’s end-user interests, as the term “trade union” is included in ¶4 of Article 23 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby gives notice that any violation of the inalienable human rights denominated in ¶4 of Article 23 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant’s nation of domicile, or of Claimant’s end-user’s nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in ¶4 of Article 23 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby further asserts, claims, and demands that abuse by any nation state of Claimant’s end-users rights to Information Freedom, including end-user rights to be secure with respect to their lawful access to Information Freedom and usage statistics with respect to Claimant’s Internet portal shall be redressed as a grievance before a court of record such as

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the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in ¶4 of Article 23 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby reserves Claimant's right to designate its end-user "trade union," as Claimant's end-users are described for the protection of Claimant's end-user interests in ¶4 of Article 23 of the United Nations *Universal Declaration of Human Rights*, to be a separate, independent, and sovereign nation state, after the fashion of the African Union's designation of its expatriate nationals who are dispersed throughout the various nations of the world as *Diaspora Africa*, a sixth geo-political division of the African Union.

Claimant hereby also gives notice that Claimant intends, with appropriate *Note Verbale and Memorandum of Understanding* executed by Claimant and the East African Community of nations of the African Union; to wit, the republics of Burundi, Kenya, Rwanda, Tanzania, and Uganda, to designate Claimant's end-users as a cybernation state member of the East African Community, with a federal district capital for Claimant's cybernation to be designated within the territory of the East African Community by mutual consent and agreement.

Claimant hereby also gives notice that, after launch and deployment of Claimant's SWANsat System, Claimant claims eligibility, on behalf of its end-users, to become the first CyberState™ nation member of the United Nations and of the International Telecommunication Union.

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“*Article 26: (1) Everyone has a right to education...*” For the purpose of enforcement of Claimant’s end-users’ rights to access to Claimant’s Internet portal and/or to Information Freedom, Claimant hereby asserts, claims, and demands that Claimant’s end-users’ access to Claimant’s Internet portal and/or to Information Freedom shall constitute “education” within the context of ¶1 of Article 26 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby gives notice that any violation of the inalienable human rights denominated in ¶1 of Article 26 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant’s nation of domicile, or of Claimant’s end-user’s nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in ¶1 of Article 26 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby further asserts, claims, and demands that abuse by any nation state of Claimant’s end-users rights to Information Freedom, including end-user rights to be secure with respect to their lawful access to Information Freedom and usage statistics with respect to Claimant’s Internet portal shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant’s nation of domicile, or of Claimant’s end-user’s nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons

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denominated in ¶1 of Article 26 of the United Nations *Universal Declaration of Human Rights*.

*“Article 26: (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, ... for the maintenance of peace.”* For the purpose of enforcement of Claimant’s end-users’ rights to access to Claimant’s Internet portal and/or to Information Freedom, Claimant hereby asserts, claims, and demands that Claimant’s end-users’ access to Claimant’s Internet portal and/or to Information Freedom shall constitute “education” within the context of ¶2 of Article 26 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby gives notice that any violation of the inalienable human rights denominated in ¶2 of Article 26 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant’s nation of domicile, or of Claimant’s end-user’s nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in ¶2 of Article 26 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby further asserts, claims, and demands that abuse by any nation state of Claimant’s end-users rights to Information Freedom, including end-user rights to be secure with respect to their lawful access to Information Freedom and usage statistics with respect to Claimant’s Internet portal shall be redressed as a grievance before a court of record such as

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the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in ¶2 of Article 26 of the United Nations *Universal Declaration of Human Rights*.

***“Article 26: (3) Parents have a prior right to choose the kind of education that shall be given to their children.”*** For the purpose of enforcement of Claimant's end-users' rights to access to Claimant's Internet portal and/or to Information Freedom, Claimant hereby asserts, claims, and demands that Claimant's end-users' access to Claimant's Internet portal and/or to Information Freedom shall constitute “education” within the context of ¶3 of Article 26 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby gives notice that any violation of the inalienable human rights denominated in ¶3 of Article 26 of the United Nations *Universal Declaration of Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in ¶3 of Article 26 of the United Nations *Universal Declaration of Human Rights*.

Claimant hereby further asserts, claims, and demands that abuse by any nation state of Claimant's end-users rights to Information Freedom, including end-user rights to be secure with respect to their lawful access to Information Freedom and usage statistics with respect to

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Claimant's Internet portal shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated in ¶3 of Article 26 of the United Nations *Universal Declaration of Human Rights*.

**IX. CLAIMANT'S COMMITMENT TO DEFEND THE WORLD'S  
INFORMATIONALLY DEFENSELESS WITH RESPECT TO RIGHTS TO  
INTERNET ACCESS AND TO RIGHTS TO INFORMATION FREEDOM**

Claimant hereby gives notice that Claimant shall vigorously defend the world's informationally defenseless: any ITU member nation state who, as a signatory to the United Nations *Universal Declaration of Human Rights*, violates, interdicts, hinders, blocks completely, or otherwise censors international access rights by their citizens to Internet services provided by Claimant's SWANSAT System shall be brought before the World Court for disciplinary action.

Claimant shall pursue censure on a United Nations level, including seeking economic sanctions, lawful blockades, lawful judgments, and other redresses of grievances. Claimant commits to utilizing appropriate disciplinary proceedings to enforce the United Nations *Universal Declaration of Human Rights* within the context of rights to Internet access and rights to Information Freedom.

Claimant hereby gives notice that any violation, hindrance, blockage, or censorship of the international access rights to Internet services provided by Claimant's SWANSAT System, as such access rights are described herein and in the United Nations *Universal Declaration of*

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*Human Rights* shall be redressed as a grievance before a court of record such as the World Court, before the United Nations, or before an appropriate court of competent jurisdiction of Claimant's nation of domicile, or of Claimant's end-user's nation of domicile, at the sole and exclusive discretion of Claimant, with appropriate enforcement of sanctions as is consistent with enforcement of the inalienable rights to life, liberty, and security of persons denominated herein and in the United Nations *Universal Declaration of Human Rights*.

**X. SUMMARY OF CLAIMANT'S COMMITMENT TO RIGHTS TO  
INTERNET ACCESS AND TO RIGHTS TO INFORMATION FREEDOM**

By this *Notice*, Claimant declares that the United Nations *Universal Declaration of Human Rights* is one of the key foundation stones upon which Claimant's SWANSAT System is constructed:

Liberty is the empowerment to do what one ought, not the license to do what one wants. On a national level, it is the harvest yielded from the lives of individuals who plant the seed of self-government within as the foundation of the thoughts, intents, words, and deeds of life. On a national level, the fruit of liberty is national prosperity in all its multi-colored forms. Its price is eternal vigilance, because it is within the nature of those who are enslaved to their own desires and fears to yearn to enslave others. By the providence of God, it is the nature of free people that they cannot be enslaved to a politics of guilt, envy, or pity. Accordingly, SWANSAT shall extend no safe harbor to those who would foster tyranny. ...

No attempt to exercise fundamental human rights shall be considered to be contrary to the privacy policies of the SWANSAT project. Included in our privacy policies is the United Nations *Universal Declaration of Human Rights* (General Assembly Resolution 217A(111) of 10 December 1948....<sup>26</sup>

Claimant hereby asserts and claims that all violation or denial of Claimant's end-users' rights of access to Claimant's SWANSAT Internet portal and/or to Information delivered by Claimant's SWANSAT System are now and shall evermore be subject to Claimant demanding removal of the offending nation state from its membership in the United Nations, and from its

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<sup>26</sup> See *On Human Rights and the SWANSAT System*, <http://SWANSATfoundation.com/rights.htm>.

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membership rights as a member nation state of the International Telecommunication Union, on the grounds that all such violations or denials, however narrowly occurring or however widespread the practice, constitute violations of the offending nation state's previous commitments to act in conformity to the United Nations *Universal Declaration of Human Rights*, conformity to which is a condition precedent for eligibility for continuing membership in the United Nations and, by extension, conformity to which *Universal Declaration of Human Rights* is also a condition precedent for eligibility for a nation state's continuing membership in the International Telecommunication Union.

**XI. COMMITMENT TO FREQUENCY COORDINATION—  
BUT NOT TO RESTRICTIONS ON RIGHTS TO INTERNET ACCESS  
OR TO RIGHTS TO INFORMATION FREEDOM**

For the last several years, Claimant has engaged in several attempts at dialogue with various ITU member nation states whose citizens and resident peoples are potential beneficiaries of services that will be provided by SWANSAT. Written proposals have been filed by Claimant before the fifty-three member states of the African Union through the office of the *Ministry of Infrastructure and Energy* of the African Union Commission, before telecommunications ministries of various nations such as Korea, Morocco, Nepal, the Philippines, the United Arab Emirates, Saudi Arabia, the Republic of Germany, New Zealand, and regional groups such as the Pacific Islands Forum, and the Association of Southeast Asian Nations.

Claimant filed a *Memorandum of Points and Authorities* proposal to initiate negotiations concerning a proposed grant of landing rights by the Pacific Islands Forum and by the African Union to the SWANSAT System. Despite Claimant having received overwhelming expressions of support for the *concept* of inexpensive delivery of ICT services

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(as low as USD\$2/month for a 2Meg/second service delivered by SWANSAT to Least Developed Countries and Developing Countries of the world), nevertheless concern has been expressed that the SWANSAT System's unique requirements for landing rights access will require implementation of a new methodology for doing ICT via high-powered satellite systems.

The instant *Notice* addresses this concern by claiming exemption from administrative regulation for the SWANSAT System, especially with respect to landing rights,<sup>27</sup> due to the newness and first-use priority claim to the W-band frequency with respect to the Subject Spectra, the uncontested nature of Claimant's frequency claims, and the uniqueness of Claimant's planned services via the experimental SWANSAT System.

**XII. GENERAL ARGUMENTS IN SUPPORT OF THIS NOTICE**

The basis upon which Claimant's *Notice* rests is found in the broad scopes of the United Nations Millennium Declaration<sup>28</sup> and of the *Ministerial Declaration of the High-level Segment Submitted by the President of the Economic and Social Council on the Basis of Informal Consultations: Development and International Cooperation in the Twenty-First Century: The Role of Information Technology in the Context of a Knowledge-Based Global Economy* published by the United Nations Economic and Social Council.<sup>29</sup>

Furthermore, Claimant hereby reiterates the arguments set forth by Claimant in Section III, above, which demonstrates compliance by Claimant with United Nations *Resolution 66/90* dated 6 August 2006.

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<sup>27</sup> As noted, *inter alia*, **NO CLAIM OF EXEMPTION** from Radiocommunication regulations is made with respect to frequency coordination or other "mechanical" regulatory considerations of the ITU or of any nation state-based regulatory authority. Only a claim of exemption from landing rights issues is made herein.

<sup>28</sup> Cf. <http://www.un.org/millennium/declaration/ares552e.htm>.

<sup>29</sup> Cf. <http://www.un.org/documents/ecosoc/docs/2000/e2000-19.pdf>

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The scopes of the *Millennium Declaration* and of the *Ministerial Declaration* closely match the mission of the SWANSAT System, which is to serve as a means to bridge the digital divide on a cost-effective basis. The United Nations has called for special “special measures”<sup>30</sup> to be taken in order “to address the challenges of poverty eradication and sustainable development ... including transfers of technology”<sup>31</sup> to developing nations. The obvious objective of the mandated measures is so that “the benefits of new technologies, especially information and communication technologies, in conformity with recommendations contained in the ECOSOC 2000 *Ministerial Declaration*, are available to all.”<sup>32</sup> One of the objectives of the *Millennium Declaration* is that the benefits of new ICT be made available to all nations in conformity with recommendations contained in the *Ministerial Declaration*.

The United Nations ECOSOC 2000 *Ministerial Declaration*<sup>33</sup> is no less clear in its exhortation to bring affordable ICT to least developing countries. If we are to bridge the Digital Divide, we must match powerful new tools of development with the people who need them most. According to the *Ministerial Declaration*,

...urgent and concerted actions ... are imperative for bridging the digital divide ... and putting ICT firmly in the service of development for all. ... We call on all members of the international community ... to foster ‘digital opportunity,’ [and] ... to address the major impediments to ... infrastructure, education, capacity-building, investment and connectivity.<sup>34</sup>

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<sup>30</sup> United Nations *Millennium Declaration*, ¶28.

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid.*, ¶20.

<sup>33</sup> *Draft Ministerial Declaration of the High-level Segment Submitted by the President of the Economic and Social Council on the Basis of Informal Consultations: Development and International Cooperation in the Twenty-First Century: The Role of Information Technology in the Context of a Knowledge-Based Global Economy.* (<http://www.un.org/documents/ecosoc/docs/2000/e2000-19.pdf>).

<sup>34</sup> *Ibid.*, ¶5.

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But ECOSOC admits that “efforts to achieve universal connectivity will require innovative approaches and partnerships”<sup>35</sup> within the context of establishing connectivity. ICT can

contribute to the improvement of the capabilities of firms, including small and medium-sized enterprises. Special attention should be paid to those countries that lack the capacity to effectively participate in electronic commerce.<sup>36</sup>

While no specific methodology is suggested in the ECOSOC 2000 *Ministerial Declaration* for bringing about these desired results, a not-so-subtle hint is provided: “Efforts should include transfer of technology to developing countries on concessional and preferential terms”<sup>37</sup> if a conducive environment is to be provided “for the rapid diffusion, development, and use of information technology.”<sup>38</sup> According to the *Ministerial Declaration*, urgent and concerted actions are imperative for bridging the digital divide, for fostering and building digital opportunities, and for addressing the major impediments in capacity-building, investment, and ICT connectivity.

The *United Nations Global Alliance for ICT and Development* (GAID) formulates analyses of digital divide issues begun by the UNICT Task Force. The broad scopes of the United Nations *Millennium Development Goals* and the ECOSOC 2000 *Ministerial Declaration* suggest that Claimant’s SWANSAT System could be used as a means to bridge the digital divide if Claimant were to offer to apply Claimant’s *Shareware Telecommunications*<sup>TM</sup> model to the task of accomplishing these six strategic long term goals and mid-range objectives of the United Nations *Millennium Development Goals* and the ECOSOC 2000 *Ministerial Declaration*:

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<sup>35</sup> *Ibid.*, ¶8.

<sup>36</sup> *Ibid.*, ¶11

<sup>37</sup> *Ibid.*, ¶12

<sup>38</sup> *Ibid.*, ¶14

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- To foster implementation of measures to bring down connectivity costs for ICT deployed throughout the world in order to make ICT affordable.
- Development “of the basic infrastructure necessary for [ICT] connectivity, including for the most remote areas”,<sup>39</sup>
- Implementation of “measures to bring down connectivity costs to make [ICT] affordable, including through market-based mechanisms and competition, as appropriate”,<sup>40</sup>
- Integration of “developing nations into the networked knowledge-based global economy, and strengthening their capacity in building infrastructure and generating content”,<sup>41</sup>
- Devising “measures to substantially reduce the average cost of access to the Internet within developing countries”,<sup>42</sup>
- Promotion of programs, “ideas and projects for enhancing direct connectivity among developing countries”,<sup>43</sup> in order “to increase the number of computers and other Internet access devices in developing countries”,<sup>44</sup>
- Support of “efforts towards capacity-building and production of content”,<sup>45</sup> in developing countries.

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<sup>39</sup> *Ibid.*, ¶14B

<sup>40</sup> *Ibid.*, ¶14F

<sup>41</sup> *Ibid.*

<sup>42</sup> *Ibid.*, ¶17C

<sup>43</sup> *Ibid.*, ¶14

<sup>44</sup> *Ibid.*, ¶17D

<sup>45</sup> *Ibid.*, ¶17G

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Implementing Claimant's *Shareware Telecommunications*<sup>TM</sup> economic model with respect to rollout of Claimant's SWANSAT System is an effective and practical way "to ensure sustainable results and the harmonious development of a global network society"<sup>46</sup> that no United Nations agency has ever been tasked to bring about. Accordingly, Claimant proposes that Claimant's *Shareware Telecommunications*<sup>TM</sup> model be utilized with Claimant's SWANSAT system and its architecture for delivery of low-cost ICT broadband via geosynchronous satellite in the W-band.

**XIII. ECONOMIC ARGUMENTS IN SUPPORT OF NOTICE**

The nations of the world possess authority to recognize world-wide Landing Rights for SWANSAT because such recognition is inextricably linked to the unique economic foundation upon which the SWANSAT telecommunication system rests. In support whereof, Claimant presents the following arguments for consideration:

**1. THE U.K.-BASED STUDY GROUP SPACE INNOVATION AND  
GROWTH STRATEGY'S MAIN REPORT 2010-2030 ANALYSIS OF  
CAPACITY REQUIREMENTS AND CARBON FOOTPRINT  
MITIGATION IS CONSISTENT WITH CLAIMANT'S SWANSAT  
SYSTEM OPERATIONAL PARAMETERS.**

In a special paper entitled *Space Innovation and Growth Strategy 2010-2030*,<sup>47</sup> Space IGS recently described Space Infrastructure as part of Next Generation Access:

Although the existing broadband offering (2Mbps) is suitable for many, we believe there will be an increasing desire to upgrade to a faster service driven by new video based applications and content written for that faster service. It will follow the same trajectory as computer RAM and hard disk memory - once hardware is available the ensuing content drives the new hardware to become an essential requirement. All households will require a broadband

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<sup>46</sup> See *Plan of Action* of the ICT Task Force, ¶7; cf. <http://www.unicttaskforce.org/about/planofaction.html>.

<sup>47</sup> See [http://www.spaceigs.co.uk/documents/index/download/fileID/18/fileName/final\\_space\\_igt\\_main\\_report.pdf](http://www.spaceigs.co.uk/documents/index/download/fileID/18/fileName/final_space_igt_main_report.pdf); accessed 12 February 2010. See also Space IGS *Executive Summary and Recommendations* at [http://www.spaceigs.co.uk/documents/index/download/fileID/16/fileName/space\\_igs\\_exec\\_summary\\_and\\_recomm.pdf](http://www.spaceigs.co.uk/documents/index/download/fileID/16/fileName/space_igs_exec_summary_and_recomm.pdf). See also UK's Department of Business Innovation and Skills *Space Economics Report* at [http://www.spaceigs.co.uk/documents/index/download/fileID/19/fileName/bis\\_space\\_economics\\_report.pdf](http://www.spaceigs.co.uk/documents/index/download/fileID/19/fileName/bis_space_economics_report.pdf).

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connection in the future in order to facilitate reduced government spend in delivering services as well as for communication and entertainment.<sup>48</sup>

Space ISG also addressed carbon footprint issues in its seminal report:

There is a consensus emerging that the growth of the speed and capacity of the internet will be driven by new video rich applications.... There is much research taking place into the power consumption of the internet and it is a complex subject but networks are conveniently characterised by the energy required to transfer 1 bit of useful information. ... if 10 million homes decided to watch such content at any one time then the power consumption would be 10million x 106bps x 10"Joules per bit or 1 GigaWatt. This ... would release an extra 40 megatonnes of CO2 over a year. Including the power consumption of an increased number of data centres necessary to provide the Quality of Service requirements for real time video this could easily increase to as much as 100 megatonnes.

The internet is not designed for power efficient broadcast but for multiple one to one sessions where content is requested individually on demand. Satellite broadcast could lighten the load on the terrestrial internet that results from such repetitive and inefficient transmission of popular media requested by many people at about the same time.<sup>49</sup>

When operational, Claimant's SWANSAT System will contribute to low carbon footprints for delivery of ICT services via satellite worldwide.

**2. IN ESSENCE, THE SWANSAT SYSTEM SUPPORTS  
ECONOMIC GROWTH.**

The SWANSAT System will enhance and stimulate economic growth, sustainable development, good governance, and security for the world's nations. Mid-range objectives for economic growth include increased sustainable trade (including services) and investment; improved efficiency and effectiveness of infrastructure development and associated service delivery; and increased private sector participation in, and contribution to, development. Mid-range objectives for sustainable development include reduced poverty, improved natural resource and environmental management, improved health, and improved education and

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<sup>48</sup> *Op. cit.* p. 47.

<sup>49</sup> *Ibid.* pp. 48-49.

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training. Mid-range objectives for good governance include improved transparency, accountability, equity, and efficiency in the management and use of resources throughout the world's nations. Mid-range objectives for security include improved political and social conditions for stability and safety.

**3. THE SWANSAT SYSTEM IS AN ECONOMIC MODEL SUBJECT TO INFLUENCE BY THE OBJECTIVES NOTED *INTER ALIA*.**

The economic theorem upon which SWANSAT is founded and which we have named the SWANSAT Shareware Telecommunications Theorem, states as follows:

**INEXPENSIVE DELIVERY AND AVAILABILITY OF LOW-COST INFORMATION AND COMMUNICATION TECHNOLOGIES IS THE SEED CORN OF THE EMERGING ECONOMIES OF ALL DEVELOPING COUNTRIES AND LEAST DEVELOPED COUNTRIES OF THE EARTH.**

Under Claimant's Shareware Telecommunications model, ICT services that are priced for delivery to the wealthier G-7 nations of the world will result in surpluses from operation that are transferred into the care and custody of the non-profit operating structures that own Claimant. The beneficiaries of these non-profit structures include a number of foundations and charitable trusts that are to be tasked with the responsibility of subsidizing the costs of delivery of ICT to Least Developed Countries (LDC's) and Developing Countries (DC's) of the world. In exchange for recognition of this *Notice*, Claimant will offer significant price supports to every LDC/DC of the world: The wholesale ICT delivery rate for LDC/DCs will be about USD\$2/month to wholesale ICT service providers doing business in LDC's and DC's.

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**4. IT IS IN THE LONG-TERM BEST ECONOMIC INTERESTS  
OF ALL ITU MEMBER STATES TO RECOGNIZE AND  
RATIFY THIS NOTICE.**

Recognition and ratification of the within *Notice* is fully consistent with powers and authorities relating to experimental telecommunications that are new, untested, and for which no conflict of frequency assignments are on record. Claimant's SWANSAT System is new, untested, and no conflicting frequency assignment claims are on file at the ITU for the Subject Spectra. By recognizing this *Notice*, the world's nation states will:

1. Enhance and stimulate economic growth, sustainable development, good governance, and security through SWANSAT's delivery of very low cost Internet and other satellite-based Information and Communication Technologies; and,
2. Promote increased sustainable trade (including services), and investment, thus assisting in the fulfillment of one of the mid-range objectives for economic growth; and,
3. Improve efficiency and effectiveness of infrastructure development and associated service delivery, thus assisting in the fulfillment of one of the mid-range objectives for economic growth; and,
4. Increase private sector participation in, and contribution to, development, thus assisting in the fulfillment of one of the mid-range objectives for economic growth; and,
5. Reduce poverty, thus assisting in the fulfillment of one of the mid-range objectives for sustainable development; and,
6. Improve health, thus assisting in the fulfillment of one of the mid-range objectives for sustainable development; and,

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7. Improve education and training, thus assisting in the fulfillment of one of the mid-range objectives for sustainable development; and,
8. Improve political and social conditions for stability and safety, thus assisting in the fulfillment of one of the mid-range objectives for security; and,
9. Defend positions relating to telecommunications that are issues of interest to the people of the world's nations; and,
10. Establish the necessary conditions which enable the developing countries and least developed countries to assume their rightful role in the global economy and in international negotiations by providing inexpensive means to communicate locally, internationally, and inter-continently; and,
11. Promote sustainable development at the economic, social, and cultural levels as well as the integration of international and regional economies; and,
12. Promote co-operation in all fields of human activity.

All of these activities will raise the living standards of peoples throughout the member states of the ITU.

**XIV. SUMMARY AND CONCLUSIONS —  
THE WAY FORWARD TO RAPPROCHEMENT**

The nations of the world possess authority to recognize Claimant's *Notice* because this *Notice* is inextricably linked to the unique economic foundation upon which Claimant's SWANSAT telecommunication system rests and because of the freedom of access to Information guaranteed vis-à-vis the recent public policy statements alluded to herein by the Secretary of State of the United States in support of the United Nations *Universal*

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*Declaration of Human Rights.* The instant *Notice* is not intended to serve as and shall not be interpreted to be any *Application for Exemption* pursuant to the Federal Republic of Germany's *Administrative Regulations for the Assignment of Frequencies for Satellite Communications (VVSatFu)*, General Part, §6, *Frequency Assignments under Section 58 of the TKG*. Instead, the instant *Notice* is a *Claim of Exemption*.

If Claimant does not receive from the recipients a NOTICE OF RATIFICATION of this *Notice*<sup>50</sup> within THIRTY (30) calendar days from the date of publication of this *Notice*, Claimant shall consider the parameters of this *Notice* to be in full force and effect. If any of the Recipients of Claimant's *Notice* elect NOT TO PROVIDE Claimant's requested NOTICE OF RATIFICATION within THIRTY (30) calendar days from the publication date hereof, Claimant hereby demands that Recipients show cause and provide due consideration to Claimant, in a common law court of record where the tribunal is independent of the magistrate, as to why the Claimant's *Notice* should not withstand.

Attached hereto as *Exhibit F* is a draft *Note Verbale and Memorandum of Understanding* that, when executed by the appropriate telecommunications authorities of the world's nations and returned to the Claimant, shall affirm all provisions contained within the instant *Notice* with respect to, but not limited to, unhindered rights of access by Claimant's end-users to the Internet via the SWANSAT System. The *Note Verbale* contains provisions that guarantee delivery by the Claimant of low-cost ICT to citizens of developing countries and least developed countries of the world at a cost as low as USD\$2 for each 2Meg/second Internet connection.

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<sup>50</sup> I.e., consisting of an executed copy of the attached Exhibit F: *Note Verbale and Memorandum of Understanding*.

**NOTICE OF CLAIM OF EXEMPTION PURSUANT TO ADMINISTRATIVE REGULATIONS, GENERAL PART §6 FREQUENCY ASSIGNMENTS UNDER SECTION 58 OF THE TELEKOMMUNIKATIONSGESETZ**

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In return for becoming a signatory to the *Note Verbale*, Claimant hereby agrees to make 100 high-definition video channels on board the SWANSAT System available for free use by each signatory nation to facilitate distance learning, tele-medical services, and other services, provided each signatory nation executes and returns a copy of Exhibit F to the Claimant.

Claimant invites the world's nations to enter into an agreement by which the *Note Verbale and Memorandum of Understanding* attached hereto as Exhibit F may serve as a means to facilitate the objectives set forth and described herein.

Respectfully submitted,

By: *William Welty*

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15 February 2010

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