

Before the
Federal Communications Commission
Washington, DC 20554

In Re)
)
Petitions Regarding the Use of Signal) WT Docket No. 10-4
Boosters and Offer Signal Amplification)
Techniques Used with Wireless Services)

Reply Comments of YMax Corp.

YMax Corp. (“YMax”) hereby responds to the comments filed by CTIA, the Wireless Association (“CTIA”) on February 5, 2010, in the above-referenced proceeding. YMax will release a device referred to as the magicJack femtocell. The magicJack is a USB device with an RJ-11 port built in. Consumers with broadband connections can plug the magicJack into their computers, connect a standard phone to the magicJack, and place calls using our network. A magicJack femtocell will be a Global System for Mobile (GSM) base station allowing a GSM phone to connect with the new type magicJack to make calls. The magicJack femtocell is very inexpensive to build because we use a system-on-a-chip design and, in keeping with the original magicJack, will be extremely easy for consumers to use.

On January 6, 2010, the Commission issued Public Notice DA 10-14 in WT Docket No. 10-4 seeking comment on five petitions that were filed regarding the sale and use of signal boosters.¹ The Public Notice defined “signal booster” to include “all manner of amplifiers, repeaters, boosters, distributed antenna systems, and in-building radiation systems that serve to amplify CMRS device signals, Part 90 device signals, or extend the coverage area of CMRS providers or Part 90 service licensees.”² Unlike a signal booster, which amplifies or extends CMRS signals, the magicJack femtocell does not do this and we are left wondering why the CTIA included us in their response at all. We are simply not a signal booster.

Notwithstanding the fact that low power Part 15 devices have always been permitted to operate on CMRS spectrum, on pages 6-7 of its comments, CTIA incorrectly and unfairly lumps the magicJack femtocell with signal boosters and repeaters.. CTIA goes on to argue on page 8 that use of the magicJack “would interfere with licensees’ exclusive rights to their spectrum and carries the same potential for harmful interference as wireless boosters and repeaters.” It is completely irresponsible to describe things you have no knowledge of, and the CTIA in this case is once again clueless. Our femtocell does not interfere. If Ymax decides to file under Part 15, the CTIA knows CMRS spectrum has always been available for Part 15 use. CTIA’s members

¹ Bird Technologies, Inc., Petition for Rulemaking, August 18, 2005; CTIA, the Wireless Association, Petition for Declaratory Ruling, November 2, 2007; Jack Daniel DBA Jack Daniel Company, Petition for Declaratory Ruling, September 25, 2008; DAS Forum, Petition for Rulemaking, October 23, 2009; and Wilson Electronics, Inc., Petition for Rulemaking, November 3, 2009.

² Public Notice DA 10-14 at n.1.

bought their spectrum at auction knowing about Part 15 of the rules, and CTIA's claims to the contrary are groundless.

Aside from the fact that the magicJack femtocell will operate in compliance with the FCC's rules, the device promises to enhance consumer welfare. It will be priced inexpensively and permits consumers with CMRS handsets to connect directly to the Internet to place a phone call while in their homes or places of business. Ymax designed and built the magicJack femtocell prototype over a six year period of time. It is innovation and technology that end users need so desperately. CTIA's baseless attacks on the magicJack are just not true. This is a technology that will be embraced by some of their members and we are confused as to why they made this pointless attack on such a great technology or at all.

CTIA members know the importance of femtocells and have spent hundreds of millions trying to develop them and have in fact deployed some. Up to 50% of the homes in the United States have less than desirable voice quality or no connection at all. Many people cannot reach 911 Public Safety Answering Points. Certainly CTIA is not arguing that their members femtocells will interfere with other carriers? Femtocells will also preserve valuable wireless broadband by using bandwidth nobody is presently using.

WT Docket No. 10-4 concerns signal boosters and other signal amplification techniques. Ymax did not file comments in this proceeding as the proceeding is irrelevant to our product. But CTIA misleading statements about the magicJack femtocell compelled this response. CTIA's unwarranted attacks against the magicJack femtocell are completely out of order, and pursuant to Section 553(b)(3) of the Administrative Procedures Act, may not be considered by the Commission in this proceeding. Therefore, YMax respectfully requests that the Commission dismiss out of hand CTIA's baseless, uneducated attacks on us and suggests that CTIA members concentrate on getting their customers ubiquitous coverage across the United States. After all, we see their own members spend tens of millions of dollars in advertising telling all of us that other members come up woefully short in this regard. When they fight like that amongst themselves, it makes one wonder why they wanted us in the fray as well, unless, of course, they feel threatened by our on going success.

Respectfully submitted,

/s/

Dan Borislow
Founder and Inventor
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