



June 20, 2016

**BY ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Re: Notice of *Ex Parte* Communication in  
MB Docket No. 16-42 and CS Docket No. 97-80**

Dear Ms. Dortch:

This letter follows our letter dated May 23, 2016, in which we indicated that third-party devices could “match” MVPD programming to the metadata and databases provided by Gracenote or its competitors by means other than the forced pass-through of Gracenote’s proprietary IDs.

Ideally, third-party box manufacturers would obtain licenses from Gracenote (or other metadata providers). In that case, MVPDs who are Gracenote clients could pass through the *entire Gracenote metadata offering*, including proprietary IDs, to licensed third-party boxes. This will best ensure that third-party boxes function properly. As described in our initial comments, moreover, Gracenote would be delighted to offer licenses to third-party providers on this basis, and indeed it does so today.

Alternatively, third-party boxes could match MVPD programming as it becomes available with their own or commercially available metadata databases using the following information:

- For linear programming, (i) the program title, (ii) the start date/time, and (iii) the channel number.
- For VOD programming, (i) the program title and (ii) an authenticated link to a video asset on an MVPD’s content delivery network (analogous to a URL linking to an online provider’s catalog), which would essentially “link” to the VOD programming in question. We note that MVPDs already make this information available to Gracenote and its competitors. In other words, commercial products are now available that allow third-

party boxes to recognize MVPD VOD programming using this information—and thus, from our perspective, no additional rules would be required to make this solution work.

On a related note, not all online providers open their libraries to third-party metadata providers like Gracenote and its competitors. Third-party boxes would work better if they did—as they could use the same metadata provider to process both online and traditional MVPD content.

Pursuant to the Commission's rules, I will file one copy of this letter in MB Docket No. 16-42 and CS Docket No. 97-80. Should you have any questions, please contact me.

Respectfully submitted,

/s/ 

Salvador K. Karottki  
Vice President and  
Chief Intellectual Property Counsel