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March 27, 2015

**ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: *Ex Parte*, CS Docket No. 97-80; MB Docket Nos. 14-90, 14-146, and 14-261**

Dear Ms. Dortch:

This is to inform you that on March 25, 2015, Matthew Zinn, Senior Vice President, General Counsel, Secretary & Chief Privacy Officer of TiVo Inc. ("TiVo") and the undersigned (collectively, the "TiVo representatives") met with: (1) Gigi Sohn, Maria Kirby, and Eric Feigenbaum of the Office of Chairman Wheeler, (2) Valery Galasso of the Office of Commissioner Jessica Rosenworcel; (3) Robin Colwell of the Office of Commissioner Mike O'Rielly, and (4) Bureau Chief William Lake, Michelle Carey, Nancy Murphy, Alison Neplokh, Brendan Murray, Mary Beth Murphy, Steve Broeckaert, and Jeff Neumann of the Media Bureau. On March 26, 2015, the same TiVo representatives met with Martha Heller of the Office of Commissioner Mignon Clyburn.

The TiVo representatives discussed the importance of the Commission initiating a Notice of Proposed Rulemaking following the completion of the Downloadable Security Technology Advisory Committee ("DSTAC") process in order to fulfill the Commission's obligation to assure the competitive availability of retail navigation devices in accordance with Section 629 of the Communications Act, particularly given the repeal of the integration ban effective December 2015. The TiVo representatives discussed the continued importance of retail competition in the market for set-top boxes

and other navigation devices, in accordance with TiVo's prior filings.<sup>1</sup> In particular, the TiVo representatives noted that as consumers increasingly view content from a variety of sources, including both traditional MVPD and OTT streaming sources, it is vital that customers have the option of using a neutral, third-party user interface that does not favor content from a particular source. This concern is heightened at a time when increased industry consolidation threatens to shrink the number of different facilities-based MVPD sources.<sup>2</sup>

In the meeting with the Media Bureau, the TiVo representatives also reiterated TiVo's position on the proposed AT&T-DIRECTV merger, and urged the Commission to adopt as part of any merger approval a requirement that the merged entity comply effectively with the requirements of Section 629 by making its conditional access solution available to retail manufacturers to design and produce competitive navigation devices.<sup>3</sup> Finally, in this meeting, TiVo discussed its pending Petition seeking waiver of or clarification regarding the requirement set forth in 47 C.F.R. § 76.640(b)(4)(iii) that TiVo products supplied wholesale to cable operators include an interactive and recordable home networking interface based on an open industry standard.<sup>4</sup> TiVo summarized the arguments in favor of grant of the Petition, as reflected in TiVo's Petition and its Reply Comments.<sup>5</sup>

Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,



Henry Goldberg  
Devendra T. Kumar  
*Attorneys for TiVo Inc.*

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<sup>1</sup> See, e.g., Comments of TiVo Inc., MB Docket No. 14-261, at 2-3 (filed Mar. 3, 2015) ("TiVo MVPD Definition Comments"); Comments of TiVo Inc., MB Docket No. 14-16, at 8-14 (filed Mar. 21, 2014); Petition for Rulemaking, CS Docket No. 97-80, PP Docket No. 00-67, at 21-23 (filed July 16, 2013); Reply Comments of TiVo Inc., CS Docket No. 97-80, PP Docket No. 00-67, at 5-14 (Oct. 25, 2013).

<sup>2</sup> See TiVo MVPD Definition Comments at 3-5.

<sup>3</sup> Comments of TiVo Inc., MB Docket No. 14-90, at 5-8 (filed Sep. 16, 2014)

<sup>4</sup> Petition of TiVo Inc. for Waiver or Clarification of 47 C.F.R. § 76.640(b)(4)(iii), MB Docket No. 14-146, CS Docket No. 97-80 (filed Aug. 29, 2014).

<sup>5</sup> Reply Comments of TiVo Inc., MB Docket No. 14-146, CS Docket No. 97-80 (filed Oct. 20, 2014).

cc: Gigi Sohn  
Maria Kirby  
Eric Feigenbaum  
Valery Galasso  
Robin Colwell  
Martha Heller  
William Lake  
Michelle Carey  
Nancy Murphy  
Alison Neplokh  
Brendan Murray  
Mary Beth Murphy  
Steve Broeckaert  
Jeff Neumann