

Will the broadcast flag interfere with consumers ability to make copies of DTV content for their personal use, either on personal video recorders or removable media?

Yes, of course it will interfere. A primary purpose of the broadcast flag is to restrict -- or block completely -- many reasonable-use recordings by citizens. The flag, if legislated, would codify a pay-per-view business model into law. And that is the objective.

In addition, some of the most exciting developments in recording technology are happening right now, with the still young PVR industry, home computer networks, multimedia PCs and, literally, who knows what other amazing inventions people could come up with. These could be made utterly worthless by the broadcast flag, should they be deemed not 'safe' by the broadcaster.

Would the digital flag interfere with consumers ability to send DTV content across networks, such as home digital networks connecting digital set top boxes, digital recorders, digital servers and digital display devices? Again, yes. The flag puts the citizen in the position of having to ask 'permission' to transfer DTV content around his/her own home (as one example). That permission can be denied, instantly and arbitrarily, by the broadcast flag.

The flag can be coded to expire after a given date, making archives worthless after a period of time. And it might force the consumer to purchase several identical pieces of equipment to record a program in multiple places, simply because the 'flag' says 'no transmitting' from the family room to the bedroom.

Would the broadcast flag requirement limit consumers ability to use their existing electronic equipment (equipment not built to look for the flag) or make it difficult to use older components with new equipment that is compliant with the broadcast flag standard?

That's hard to say. The broadcasts and the flag could be designed to make it impossible for an ordinary VCR to record the broadcast. Even current PVR equipment (e.g Tivo and Replay devices) could be prevented from recording the signals, even if decoded by an intermediary device. So it depends on the implementation.

My suggestion is that there be no impediment to allowing the invention and sale of devices that would bridge between a DTV receiver and an older piece of recording equipment. It should be 100% in the consumers control how or if they wish to use existing equipment to record DTV. If a piece of equipment has to be designed so as to honor a 'flag', then again, the 'permission' to record a broadcast is unreasonably in the broadcasters' control.

Would a broadcast flag requirement limit the development of future equipment providing consumers with new options?

It would most likely have a negative impact on innovation. The real issue is determining whether it is prudent to place the computer and electronic equipment industries under the thumb of the entertainment industry.

If consumer equipment has to honor the restrictions of a broadcast flag, then it is obvious that there would be some innovations that, no matter how

useful and reasonable, would be illegal to create. It seems short sighted to put preemptive legal restrictions on DTV technological development.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?

Hard to say. It depends on lots of factors. But I can't see any logical argument saying it would *lower* the cost.

Other Comments:

Citizens should not have to rely on the benevolence of the entertainment industry to allow them to record broadcasts, transmitted into their own homes, for their personal use. The existence of the flag would inevitably result in cases of abuse of this power.

When a broadcast enters a citizen's home, the decision to watch it, record it, ignore it, save it to a home computer, transfer it from the family room to the den, or any of a myriad of other personal, non-commercial uses should be in the control of the citizen. So long as they are not trading it, selling it, or otherwise retransmitting the broadcast, what business is it of the entertainment industry what a consumer does with a television broadcast, digital or otherwise?

A broadcast flag that limits normal, reasonable, everyday personal uses of a broadcast is not in the interest of consumers.

I can appreciate the fear the entertainment industry has, but we've been down this nearly exact same road before with the VCR. The VCR was pronounced the doom of television. Instead it proved to be a vast, multi-billion dollar industry.

I see the real objective here to be one of control. Control, via a broadcast flag, is seen as the savior of the DTV industry, because it will set in law a multitude of pay-per-view business models.

Commercial pirates will not be affected by the broadcast flag, only ordinary US citizens will. Innovation in equipment development will probably be stifled. And simple, harmless, personal use of broadcasts will be prohibited (or at least permission based).

Let DTV develop normally. The landmark 'Betamax' VCR case saved the movie and TV industries from themselves in the '70s. The same will most certainly happen here again, if you allow it. Say 'no' to the broadcast flag.