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?
The broadcast flag will severly hamper the regular consumer's access to a public resource, namely the electromagnetic spectrum. By curtailing fair use and legitimate content copies, we are attacking the wrong problem. Copies are not illegal and do not indicate copyright infringement, distribution is where copyright protections must take place, not in copies. The consumer must be protected by protecting the fair use doctrine.

Until the proponents of this broadcast flag can show that this flag does not and can not interfere with legitimate uses and protects fair use (including with legacy devices), this should not be considered.

Even with these demonstrations in place, the value of a system designed to prevent copies when copies are expressly allowed by fair use should be evaluated very carefully.

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?

Fair use is supposed to protect the act of copying. It is the act of distribution that needs to be protected and the broadcast flag does not provide this type of protection.

Unless proponents of the flag can show with currently available and standards compliant devices that it is impossible to prevent fair use provisions, this measure does not adequately protect consumer interests.

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?

Fair use must protect the ability to copy, copyright infringement is in the act of distribution, not copying. Any measure that would limit the consumers ability to copy content for personal use will curtail and limit consumer interests.

What support is planned for for the interface between compliant and non-compliant components? Has interoperability been demonstrated? Is interoperability mandated or just possible? Without mandated interoperability, consumers rights will be trampled and the public resource of the electromagnetic spectrum will become the defacto property of a powerful monopolistic group of companies.

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

I believe that we are on the cusp of a revolution in how digital entertainment can be used. The introduction of low cost flat screen devices opens up the vistas to include entertainment choices like:
Whole room screens,
In car entertainment for passengers
Video conferencing that can finally rival the phone system in reliability
Shared virtual experiences between participants removed geographically

It is not clear how digital television will participate in this revolution but the introduction of politically inspired restrictions will only serve to stifle innovation and hamper creativity. I sincerely urge the FCC to reconsider before acting to prevent a host of uses that would be both

empowering to consumers as well as beneficial to copyright owners' bottom line.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?
Any technical restriction required by law necessarily limits the innovation that can be achieved in that technical area by imposing an artificial barrier. In this case the barrier not only would limit future innovation but is not even solving the problem it claims to solve, namely copyright protection. It attempts much broader control in controlling copy generation which should be protected under fair use. This attempts to trample consumer rights. Distribution, not copying, is the action where copyright protections should be added if they are to be added to the technical arena. Even in this case, great care must be taken to ensure that proposed copyright protections do not unduly hamper future innovation as I believe this one does.

Other Comments:
Copying is not an infringing action, distribution is. Copying must be protected as a fair use. Digital rights managment and the broadcast flag both aim to restrict copying and not distribution and is therefore wrong-headed and anti-consumer.