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, it would. It would give copyright owners, not the consumer on how long they can keep their recorded TV programs. For example, the copyright owners could design a system that denys the consumer the right to have a video library or keepts tapes permanetly.

In addition, the DRM would prohibit removable media, and prohibit watching shows on their computer, when they travel. You can do this with the TV tuner cards of today.

In addition, the system would block bypassing commercials, again something you can legally do with analog VCRs. The industry is trying to block that capability in the case Paramount Pictures Corp v. ReplayTV Inc (2002).

This prompted the consumers to have to sue the entertainment plaintiffs, plus ReplayTV and SonicBlue to prove that this is legal. See Newmark v. Turner Broadcasting System Inc, 2002.

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?
YES, it would. It would give the entertainment industry control over what devices can play what content, namely "flagged" content.

It would limit "Who can create digital recorders". For example, it would ban "space shifting" to computers, and disallow the consumer to choose how content is stored, and virtually prohibit devices that run open source operating systems, or use "patent free", royalty fee codecs.

In addition, it gives the broadcasters the right to charge fees for such programming. Read Jamie Kellner's comments in the article in Cableworld, and in time magazine's article called the "Pirates of Prime Time". He mentions that people should not be able to time shift and send programming unless the programmaing has a "payment model similar to HBO". This kind of model would cost consumers a lot of money to use the devices that they paid already for, which is not the case with analog. In the analog world, you can tape a show for a friend, even if the person you give it to does not subscribe to that show on cable or satelite.

In addition, it would make it difficult for teachers to use such recorded content in classrooms. Many documentries, Movies, News Programs, and other content are useful in the classroom.

In addition, in the case of hard disk failure inside a digital recorder, it would make it harder to recover such content, if all the content is protected by the flag or any form of digital rights management.

People with older equipment, would make their equipment useless, because there is not conversion with the proposed flag system.

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?

YES, it would.

Disabling analog out would cause older VHS, SVHS, MPEG1-4, and other systems incompatible. Also, it would make it so even old TVs are incompatible, and the flag requirement would ban converters, which is possible without a CPU (and would not honor the flag).

In addition, it would be difficult for indepedent video developers, home video, and the like to allow their content to be "portable". There are many people who do not work for hire, who create amateur videos, and the like. This flag may limit the broadcasting, storage, or the like of them. The same people who connect video game consoles to their DVRs, and want to record something, or transfer home video shot with their camcorders to their DVRs, or digitized video from their computers, to their DVRs.

Would a broadcast flag requirement limit the development of future equipment providing consumers with new options?
YES, it would, in many ways.

For example, if someone wanted to create a non-flag compliant player, that contains no Digital Rights Management, or the like, or a device maker wants to offer features that hollywood does not support (such as commercial advance), or tranfer to computers, they could not.

In addition, I beleive the flag fives some companies special treatment, because people are forced to design DVRs to their specifications.

An example of such a prohibited device, that one would like to make: A DVR that records in digital format, using the Linux Operating system, and uses open source MPEG1 video codecs, and the OGG Vorbis audio codec (which is patent free), would be an innovation.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?
YES, the required DRM chips will increase cost and the complexity of the hardware inside. In addition, it would contol the design of the hardware, and people would have to pay expensive royalties to be compliant for it.

All this increases cost significantly.

Other Comments:
Digital Rights Management (DRM) is not 100% secure. Many DRMs have been cracked. If you look, many software and arcade game companies used DRM in the 80s and 90s. Most of them ended up being cracked, in many cases rather quickly by young hackers.

For example, it did not take Jon Johansen long to crack DVDs. There are currently macrovision defeators on the market. Also, look at all the "mod chips" for game consoles, that allow imports and CD-R versions of games to be played.

Once content is in digital form, it can be copied easily. Encryption is not a method to protect copying, according to a professor of computer security at San Diego State University.

Also, what is to stop one from connecting their existing digital recorder that is from the pre-flag era, recording a TV program, connecting it to a

pre-flag TV tuner card, and records an MPEG or DivX of it, and sharing it over Gnutella on an existing non-palladium computer? NOTHING. Even Michael Eisner from Disney admits this!

If anything, DRM alienates consumers, and limits use, and makes the consumer and"unpaid employee" of the media company, whos boss is at the company. It also treats consumers as "criminals" (See Newmark et al v. Turner Broadcasting System Inc et al, and MGM et alv. Grokster LTD et al).

Even if the flag system is implemented, it will be hacked. Also, what is to say, there will not be a black market for "mod chips", for DVRs. These products have been around for game consoles, and to get around the DVD regions.

Also, the flag will prevent educational use, and non-profit use of programming. Many educational institutions show TV shows and movies to students of many classes, as part of the curriculum. This may prevent a teacher from taping a show for educational use.

I hope you consider consumer freedom, over the greedy interests of a few companies, and do not decide to implement this flag.