

Digital Broadcast Copy Protection,

MB Docket No. 02-230, Notice of Proposed Rulemaking (rel. Aug. 9, 2002).

In the Matter of **Digital Broadcast Copy Protection**

MB Docket No. 02-230

[ORDER Adopted: October 10, 2002 Released: October 11, 2002

..... adjust the requested deadline for filing comments and reply comments to December 6, 2002, and January 17, 2003, respectively.]

9.

Finally, we seek comment on the impact of the ATSC flag or other digital broadcast copy protection mechanism on consumers. The *BPDG Final Report* asserts that a broadcast flag system would not interfere with consumers' ability to make secure copies of DTV content for their personal use, either on personal video recorders or removable media.

Similarly, the *BPDG Final Report* states that the requirements to protect digital outputs should not interfere with consumers' ability to send DTV content across secure digital networks, such as "home digital network connecting digital set top boxes, digital recorders, digital servers and digital display devices."

We seek comment on these assertions. We also seek comment on the appropriate scope of protection to be accorded DTV broadcast content. In addition, some parties have raised concerns about the potential impact of a broadcast flag requirement on consumers' existing and future electronic equipment. We seek comment on these concerns, as well as the potential effect of a broadcast flag requirement on the development of new consumer technologies.

Finally, we seek comment on the cost impact, if any, that a broadcast flag requirement would have on affected consumer electronics equipment.

Response to these paragraphs is set out on the following page.

The video quality of DTV is comparable to signal received from digital DBS or a good VHS tape. It is not of sufficient quality to be a threat to legitimate source copyright material.

HDTV is significantly better and can produce video of awesome quality. Unauthorized access to the single channel source full bandwidth digital bitstream should be prevented as this can be duplicated *ad infinitum* with no change to the source data.

As currently implemented, DVI connection provides 6 separate data streams and clock signal to communicate with a digital display device. Therefore, a casual user would not have the resources to intercept and reassemble these data streams into an exact replica of the single channel source stream.

Existing component video outputs are analog. Therefore, another signal degrading analog to digital conversion would virtually guarantee that any reconstructed digital stream could never become a faithful copy of the original.

Much HD equipment being sold today (December 2002) still has analog only component video connectors to enable transmission of the video portion of the signal to a true HD capable display. Flag or encryption protection mechanisms should not prohibit existing users - or near future purchasers - of this class of equipment from enjoying the full capabilities of these still expensive investments.

People who have already spent considerable amounts of money to enjoy the rewards of true HD images are those pioneers who have done their part to accelerate the new digital age. They should be afforded every opportunity / protection to continue to enjoy the maximum HD performance they have already paid for. Similarly, potential buyers should not have to feel any apprehension about the proliferation of HD capable equipment that is currently for sale. They are on the threshold of continuing the momentum of this much sought after transition.

Current technology should allow the original unimpaired signal to be received on a fully protected channel. In situations where full protection is not possible, receipt of the same content signal with an embedded watermark could be acceptable to the casual "fair use" user. This could be similar to what has been provided by broadcast and cable channels for many years as visual station identifications. A public awareness / education program could alert buyers to the risks involved in bargain purchases from non - mainstream outlets. The market for "damaged goods" should be consequently much reduced - thereby removing incentives for the manufacture and supply of unauthorized duplications of protected video materials.