

MOU Text

3.6. Digital and 480p Interfaces (DVI and HDMI, both of which include HDCP, are considered interchangeable at the CE Manufacturer's option):

3.6.1. The Parties have committed

As to the above. . . .

- Effective July 1, 2005, televisions that include IEEE 1394 shall support the full capabilities of CEA-775A and CEA-849A, and CEA-861 or successor standards.

. . . .

3.11 MSOs and CE Manufacturers acknowledge that technology advances and certain standards may need to transition or sunset. MSO and CE Manufacturers and DBS representatives will meet at least annually to discuss technology sunsets, and may submit recommendations to the FCC as part of the biennial review process, or such earlier review as may be appropriate.

.....

Encoding Rules

Part 76, Subpart W

§76.1901 Applicability

(a) Each multi-channel video programming distributor shall comply with the requirements of subpart W.

~~(b) These rules shall not apply to distribution of any content over the Internet, nor to a multichannel~~

~~video programming distributor's operations via cable modem or DSL.~~

~~(c) With respect to cable system operators, this subpart shall apply only to Cable Services. This subpart shall not apply to cable modem services, whether or not provided by a cable system operator or affiliate.~~

(b) All digital content distribution methods shall comply with the requirements of subpart W, including distribution of content over the Internet (whether by cable modem, DSL or other mechanism) or via digital recorded media such as DVDs.

.....

§76.1902 Definitions

“Covered Product” shall mean a device used by consumers to access Commercial Audiovisual Content offered by a Covered Entity; and any device to which Commercial Audiovisual Content so delivered from such Covered Product may be passed, directly or indirectly.

“**Covered Entity**” shall mean any entity that is subject to this subpart W.

“**Defined Business Model**” shall mean Video-on-Demand, Pay-Per View, Pay Television Transmission, Subscription-on-Demand, Non-Premium Subscription Television, Free Conditional Access Delivery, PVR Local Content and Unencrypted Broadcast Television.

....

“PVR Local Content” shall mean a service, or schedule or group of Programs (which may be offered for sale together with other services, or schedule or group of Programs), which are stored on a PVR/DVR device that is controlled and managed primarily by an MVPD, and for which subscribers are or are not charged a subscription fee or per-interaction fee for the viewing of the program content contained therein.

....

§ 76.1903 Interface and Encoding Rules.

1. Rules As to Interfaces

A Covered Entity shall not attach or embed data or information with Commercial Audiovisual Content, or otherwise apply to, associate with, or allow such data to persist in or remain associated with such content, so as to prevent its output through any analog or digital output authorized or permitted under license, law or regulation governing such Covered Product. The output of content for which copying is prevented or limited may be prevented through digital outputs when these outputs are designated for recording purposes only.

2. Encoding Rules for Defined Business Models

(a) Commercial Audiovisual Content delivered as Unencrypted Broadcast Television shall not be Encoded so as to prevent or limit copying thereof by Covered Products or to constrain the resolution of the image when output from a Covered Product.

(b) Except for (i) a specific determination made by the Commission pursuant to a petition with respect to a Defined Business Model other than Unencrypted Broadcast Television; or (ii) an Undefined Business Model subject to the procedures set forth in this Section:

(A) Commercial Audiovisual Content shall not be Encoded so as to prevent or limit copying thereof except as follows:

(i) to prevent or limit copying of PVR Local Content, Video-on-Demand, Pay-Per-View, or Subscription-on-Demand transmissions, subject to the requirements of subsection 2(B); and

(B) With respect to any Commercial Audiovisual Content delivered or transmitted in the form of a PVR Local Content, Video-on-Demand, Pay-Per-View or Subscription-on-Demand transmission, a

Covered Entity shall not Encode such content so as to prevent a Covered Product, without further

authorization, from pausing such content up to 90 minutes from initial transmission by the Covered Entity (e.g., frame-by-frame, minute-by-minute, megabyte by megabyte, etc.).

.....

3. Encoding Rules for Undefined Business Models.

This subsection 3. shall apply only to cable operators.

(a) Upon public notice and subject to requirements as set forth herein a Covered Entity may launch a program service pursuant to an Undefined Business Model. Subject to Commission review upon Complaint, the Covered Entity may initially Encode programs pursuant to such Undefined Business Model without regard to limitations set forth in subpart 76.1903(2).

.....