

DOW, LOHNES & ALBERTSON, PLLC
ATTORNEYS AT LAW

M. ANNE SWANSON
DIRECT DIAL 202-776-2534
aswanson@dowlohn.com

WASHINGTON, D.C.
1200 NEW HAMPSHIRE AVENUE, N.W. • SUITE 800 • WASHINGTON, D.C. 20036-6802
TELEPHONE 202-776-2000 • FACSIMILE 202-776-4458
www.dowlohn.com

ONE RAVINIA DRIVE • SUITE 1600
ATLANTA, GEORGIA 30346-2108
TELEPHONE 770-901-8800
FACSIMILE 770-901-8874

October 9, 2003

BY HAND DELIVERY

Marlene H. Dortch, Esquire
Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

**Re: Notification of *Ex Parte* Communication
MB Docket No. 02-230**

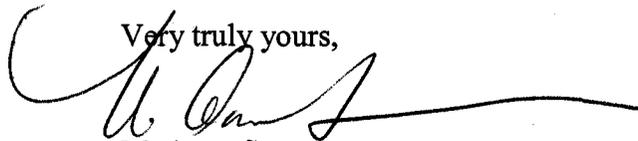
Dear Ms. Dortch:

This is to advise you, in accordance with Section 1.1206 of the FCC's rules, that Emery Simon of the Business Software Alliance ("BSA"), the other participants listed on Attachment A hereto, and I met on Wednesday, October 8, 2003, with Commissioner Kevin J. Martin and Anthony J. Dale of the International Bureau.

The discussion involved the *ex parte* letter that BSA and the Computer Systems Policy Project (the "IT Coalition") submitted in this docket on October 2, 2003. At the meeting, the IT Coalition reviewed the points made in the letter, which was submitted to address specific proposals by the Motion Picture Association of America related to robustness and compliance rules and the specified criteria which technologies would have to meet to be certified as compliant, known as Table A criteria. In the meeting, the IT Coalition urged that, if the Commission does decide to proceed with adoption of a broadcast flag regime, it should divide the process into two parts: first, adoption of general rules permitting "tagging" HDTV broadcasts with a "flag," and, second, issuance of a further rule making notice seeking comment on robustness and on complex and critically important certification and de-certification rules for technologies authorized for digital broadcast copy protection. Copies of the IT Coalition's October 2, 2003 submission were made available at the meeting.

As required by Section 1.1206(b), as modified by the policies applicable to electronic filings, one electronic copy of this letter is being submitted for the above-referenced docket.

Very truly yours,



M. Anne Swanson

cc (by email): The Honorable Kevin J. Martin
Anthony J. Dale, Esquire

ATTACHMENT A

Richard Beutel, Dell
Paul Boyd, Microsoft
Cheryl Bruner, IBM
Douglas Comer, Intel
Stacy Stern Albert, Hewlett-Packard
Joshua Tenuta, Apple
Bud Tribble, Apple
Donald Whiteside, Intel