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September 23, 2003

BY HAND DELIVERY

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

RECEIVED
SEP 23 2003
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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 and Joe Keely of the Business Software Alliance, Andy Moss, Paula Boyd, and Susan Mann of Microsoft, Doug Comer of Intel, David Isaacs of Hewlett-Packard; Richard Beutel of Dell, Tim Sheehy of IBM, Gerard J. Waldron of Covington & Burling, counsel to Microsoft; and I met yesterday with Richard Chessen, Associate Media Bureau Chief, Digital Television Task Force, William Johnson, Deputy Media Bureau Chief, Media Bureau staff members Susan Mort, Alison Greenwald, Michael Lance, and Steven Broeckaert, and Jonathan Levy and Amy Nathan of the Office of Strategic Plans and Policy

The discussion involved the Notice of Proposed Rulemaking, released on August 9, 2002 in the above-referenced docket and many of the questions noted therein. Among the specific items under discussion were the mechanics of the "broadcast flag" approach; the Motion Picture Association's proposed Compliance and Robustness, and Proposal for Table A Criteria, filed on December 6, 2002 and February 18, 2003, respectively, and the computer industry's interest in seeing that the FCC, if it decides to act in the area, should at least establish functional specifications for permitted content protection systems triggered by a "broadcast flag," allow manufacturers to certify that their products comply with such specifications, and adopt reasonable robustness rules.

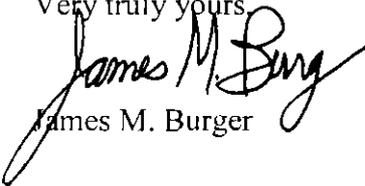
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Marlene H Dortch, Esquire
September 23, 2003
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As required by Section 1.1206(b), two copies of this letter are being submitted in the above-referenced docket.

Very truly yours,

A handwritten signature in black ink that reads "James M. Burger". The signature is written in a cursive style with a large, sweeping "J" and "B".

James M. Burger

cc (by hand delivery):
Richard Chessen
William Johnson
Susan Mort
Alison Greenwald
Michael Lance
Steven Broeckaert
Jonathan Levy
Amy Nathan