

Dell, Inc.
1225 Eye Street, NW, Ste 920
Washington, DC 20005

Telephone: (202) 408-3355
Fax: (202) 408-7664
www.dell.com



October 24, 2003

FILED ELECTRONICALLY

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Ex Parte Presentation—MB Docket No. 02-230

Dear Ms. Dortch:

On October 23, 2003, Neeraj Srivastava, Director, Peripherals and System Architecture, and the undersigned of Dell, Inc., and Ann Morton of Infotech Strategies, had a telephone conversation with Rick Chessen, Susan Mort, Tom Horan, Steve Broeckaert and Bill Johnson of the Commission's Media Bureau regarding the above-referenced proceeding.

The purpose of the conversation was to express Dell's views regarding the Commission's consideration of a broadcast flag approach to digital broadcast copy protection, as outlined in the attachment hereto. Dell, a member company of the IT Coalition, also discussed the issues raised by the IT Coalition about the broadcast flag proposal in its ex parte filing on October 2, 2003.¹ In particular, Dell expressed its support for the IT Coalition's position that if the Commission adopts a broadcast flag approach (notwithstanding the legal and policy issues it raises), the Commission should not proceed without establishing functional criteria for certifying protection technologies and a neutral, transparent and open approval process. Dell believes these steps are necessary to ensure flexible opportunities for innovation and competition in the development of protection technologies, and to recognize the impact of rapidly evolving CE-PC convergence.

In addition to filing one electronic copy of this letter with the Commission for the above-referenced docket, a copy of this letter is being delivered to each of the Commission parties listed below.

Respectfully submitted,

Richard A. Beutel, Esq.
Director, Government Relations

Attachment

cc (w/ attachment): R. Chessen, S. Mort, T. Horan, S. Broeckaert, W. Johnson (Media Bureau)

¹ See Letter, Notification of Ex Parte Communication, MB Docket No. 02-230, from James M. Burger, Esq. and M. Anne Swanson, Esq. to Marlene H. Dortch, Esq. (filed Oct. 2, 2003).



Broadcast Flag Requirements

- Dell continues to believe encryption at the source offers the best protection for broadcast HDTV content.
- Any Broadcast Flag regime must be applied in a low-cost, easy to implement and customer-friendly manner.
- In an era of PC-CE device convergence, public policies should drive innovative technologies that meet the Broadcast Flag requirements and consumer choice in compatible PC style devices.
- A FCC or neutral 3rd party approval process for adding new technologies is required – shouldn't choose winners and losers.
- We need a self-certification process that allows us to bring new technology innovations rapidly to market based on neutral functional criteria.