

Statement of DTLA Objective Criteria for Reviewing Recording and Retransmission Protection Technologies

The DTLA Policy Group and Technical Group will engage in a review process designed to determine whether, from technical, legal and policy perspectives, a proposed recording or retransmission protection technology will maintain integrity and robustness for DT Data, and to consider whether Content Participants, certain other content owners and Adopters are satisfied with the level of protection provided by the technology and licensing framework. This review process is intended to be conducted by the DTLA using objective criteria, rather than subjective judgments, which criteria are set forth below.

I. DTLA Review

A. Policy Review

1. The proposed technology does not impair interoperability with respect to the exchange of DT Data among licensed products.

B. Legal Review

1. The license agreement implements requirements that are no less stringent than the requirements of Exhibit B Part 1: Compliance Rules for Sink Functions, as set forth in the most current version of the DTLA Adopter Agreement, including with respect to maintaining the protection of DT Data through authorized digital, analog and high definition analog outputs, and prohibiting unauthorized retransmission of DT Data over wide area networks and the Internet.

2. If the technology so permits, the license agreement provides for a right of revocation or for renewability where the security elements of a particular device have been cloned.

3. The license agreement provides protections against the device interfering with a consensus watermark, in a manner no less stringent than the obligations set forth in Section 6 of Exhibit B, Part 1: Compliance Rules for Sink Functions in the most current version of the DTLA Adopter Agreement.

4. The license agreement imposes robustness requirements that are no less stringent than the applicable Robustness Rules as set forth in the most current version of the DTLA Adopter Agreement.

5. Legal recourse potentially is available in case of circumvention of the technology by persons other than licensees.

6. The license provides, or the licensor commits, that future amendments to the license that would affect the license terms and conditions that were disclosed to DTLA will not diminish the protections afforded to DT Data, as described above.

C. Technical Compliance

The proponent of the technology should provide to the DTLA sufficient technical information to demonstrate that:

1. The recording technology provides for detection and correct response to copy control information, as defined by the DTLA Specification (in EMI, Embedded CCI or both).
2. The recording technology provides for a means of security for the making of permissible copies, as set forth in Section 2 of Exhibit B, Part 1: Compliance Rules for Sink Functions of the most current version of the DTLA Adopter Agreement.
3. The recording technology provides that removable recorded media will maintain the required level of protection when played back on a device other than the device upon which the recording was made.

II. Content Owner and Implementer Support

1. In addition to meeting the above criteria, the proponent may provide to DTLA evidence of support for the technology and licensing terms and conditions from Content Participants and DTCP Adopters. In addition, the proponent also may provide to DTLA evidence of support for the technology and licensing terms and conditions from:

- a. Motion picture companies that are members of the MPAA, in the case of technology used to protect audiovisual works,
- b. Major sound recording labels, in the case of technology used to protect only sound recordings, and
- c. Manufacturers interested in implementing both the proposed technology and DTCP.

2. In the event that the proposed technology and licensing terms and conditions do not meet one or more of the requirements set forth in subsections B and C of Section I above, the proponent should provide DTLA with evidence of support for the technology from a substantial number of major motion picture or recording companies, as applicable.