

**Before the
Federal Communications Commission
Washington, D.C. 20554**

Implementation of Section 304 of the Telecommunications Act of 1996)	
)	CS Docket No. 97-80
)	
Commercial Availability of Navigation Devices)	
)	
Compatibility Between Cable Systems and Consumer Electronics Equipment)	
)	PP Docket No. 00-67
)	

**OPPOSITION TO PETITION FOR RECONSIDERATION OF
GENESIS MICROCHIP, INC.
BY THE MOTION PICTURE ASSOCIATION OF AMERICA, INC.**

Jon A. Baumgarten
Bruce E. Boyden
Proskauer Rose LLP
1233 Twentieth Street NW, Suite 800
Washington, DC 20036
(202) 416-6800

*Counsel for The Motion Picture Association
of America, Inc.*

March 8, 2004

**Before the
Federal Communications Commission
Washington, D.C. 20554**

Implementation of Section 304 of the Telecommunications Act of 1996)	
)	CS Docket No. 97-80
)	
Commercial Availability of Navigation Devices)	
)	
Compatibility Between Cable Systems and Consumer Electronics Equipment)	
)	PP Docket No. 00-67
)	

**OPPOSITION TO PETITION FOR RECONSIDERATION OF
GENESIS MICROCHIP, INC.
BY THE MOTION PICTURE ASSOCIATION OF AMERICA, INC.**

In its petition for reconsideration, Genesis Microchip, Inc. (“Genesis”) expresses significant concerns about the Commission’s adoption of the DVI or HDMI digital display interface standards in the newly promulgated Sections 15.123 and 76.640(b)(4). Although Genesis raises a number of procedural objections, at base, Genesis asserts that any required digital display interface standard adopted by the Commission must first be vetted by an appropriate open standard-setting body in order to ensure that both the standard and any associated licensing terms are appropriate. As one solution to the problem it identifies, Genesis requests that the Commission replace the Commission’s selection of DVI or HDMI digital display interface standards with a provision permitting the use of *any* digital display interface standard.

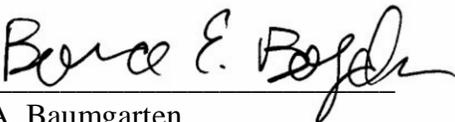
This alternative proposed by Genesis risks inadvertently removing the content protection standards integral to protection of copyrighted digital content. In order to ensure appropriate levels of content protection, avoid consumer confusion, and ensure compatibility with digital

cable systems, it is essential to maintain the requirement for content protection that the Commission adopted alongside the DVI and HDMI standards.¹ Accordingly, if the Commission replaces references to DVI or HDMI in Section 15.123 to refer to *any* digital display interface standard developed in the open processes and subject to vetting of licensing conditions as requested by Genesis, it should retain the requirement for duly approved content protection measures equivalent to those in the current rule.² Failure to do so would jeopardize protection of copyrighted digital content and ignore the progress made in this area by private agreements upon which the rule is based.

* * *

Respectfully submitted,

MOTION PICTURE ASSOCIATION OF AMERICA, INC.

By: 

Jon A. Baumgarten
Bruce E. Boyden
Proskauer Rose LLP
1233 Twentieth Street NW, Suite 800
Washington, DC 20036
(202) 416-6800

Counsel for The Motion Picture Association of America, Inc.

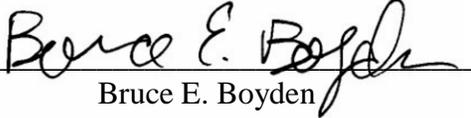
¹ Specifically, in the current rule, each reference to DVI and HDMI in Section 15.123 also contains the requirement for the HDCP content protection technology which is consistent with the terms of the Dynamic Feedback Arrangement Scrambling Technique (“DFAST”) license enabling manufacture of the cable-ready products and essential to this rule’s framework. Although the references to DVI and HDMI in Section 76.640(b)(4) do not expressly require content protection measures to accompany the specified interfaces, the DFAST license does require such outputs to carry content protection measures. Adding the corresponding reference to content protection measures in Section 76.640(b)(4) would maintain consistency between the product and labeling requirements the Commission has set forth.

² With respect to Genesis’s call for open vetting processes for adoption of technologies by the Commission, it is worth noting that the MPAA has raised similar concerns about undisclosed licensing conditions being imposed by owners of FCC-authorized digital output protection or secure recording technologies, and will continue to urge the Commission to ensure that relevant terms and conditions associated with any proposed technology in this proceeding be disclosed prior to approval. *See* MPAA’s Comments to the Commission’s January 7, 2003 Further Notice of Proposed Rulemaking, C.S. Docket No. 97-80, P.P. Docket No. 00-67 (filed Mar. 28, 2003) at 9; Petition for Reconsideration of MPAA, C.S. Docket No. 97-80, P.P. Docket No. 00-67 (filed Dec. 29, 2003) at 3.

CERTIFICATE OF SERVICE

I, Bruce E. Boyden, hereby certify that a true and correct copy of the Opposition to Petition for Reconsideration of Genesis Microchip, Inc., by the Motion Picture Association of America, Inc., was served on the following parties on March 8, 2004, by first-class mail, postage prepaid:

Terry G. Mahn
Robert J. Ungar
Robert Giles
Fish & Richardson PC
1425 K Street NW, Suite 1100
Washington, DC 20005
Counsel for Genesis Microchip, Inc.


Bruce E. Boyden