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December 3, 2007

ELECTRONIC FILING

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

Re: Commercial Availability of Navigation Devices, CS Docket No. 97-80, PP Docket No. 00-67

Dear Ms. Dortch:

This is to inform you that on December 3, 2007, Matthew Zinn, Senior Vice President, General Counsel, Secretary and Chief Privacy Officer of TiVo, Inc. ("TiVo") and the undersigned had a telephone conversation with Michelle Carey, Legal Advisor to Chairman Kevin Martin, and Monica Desai, Chief of the Media Bureau. The purpose of the telephone meeting was to discuss an arrangement that has been reached between TiVo and key companies in the cable television industry, as well as with the National Cable & Telecommunications Association, which is relevant to issues being considered in the above-captioned proceeding.

Pursuant to this arrangement, TiVo and the cable industry have developed an external adaptor that will allow certain one-way CableCARD devices, such as TiVo Series3 and TiVo HD DVRs, to receive all switched digital signals without a cable set-top box. A key component to this solution involves the cable industry's commitment to ensure that installation of CableCARDs and the external adaptor will be easy and seamless for consumers.

Marlene H. Dortch, Secretary

December 3, 2007

Page 2

In this proceeding, TiVo had expressed concerns about the cable industry's OpenCable Application Platform ("OCAP") specifications and license terms. In response to TiVo's concerns, the cable industry has agreed to work with TiVo to make clarifications or adjustments to OCAP that may be necessary to enable TiVo to build what TiVo believes can be a viable retail DVR with OCAP. We explained that a TiVo DVR with OCAP would have a "TiVo mode" displaying all linear channels (including switched digital video enabled by OCAP) with the TiVo user interface and full DVR functionality as well as a "cable mode" running OCAP and displaying all cable programming services with the cable user interface without DVR functionality.

We also expressed our belief that this refined version of OCAP was a preferable solution to DCR+ for a variety of reasons, including time-to-market and the ability to receive all of cable's two-way services. Manufacturers, cable companies, and consumers will benefit most from an OCAP-based solution that enables the creation of differentiated retail devices such as TiVo DVRs and allows all of cable's two-way services to reach the consumer within a reasonable time. In contrast, a DCR+-based solution would take longer to implement and result in devices with more limited functionality that would not enjoy the full support of the cable industry.

We concluded our telephone meeting by stating that the clarifications or adjustments that will be made to OCAP to effectuate the creation of devices such as the "TiVo DVR with OCAP" effectively balances the concerns raised by TiVo in its comments in this proceeding with the cable industry's concerns about the disaggregation of its video services.

Please direct any questions regarding this matter to the undersigned.

Respectfully,

A handwritten signature in black ink that reads "Henry Goldberg". The signature is written in a cursive, flowing style.

Henry Goldberg

Attorney for TiVo, Inc.

cc: Michelle Carey
Monica Desai