DowLohnes

July 2, 2008

VIA ELECTRONIC FILING

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

Re: Notification of Ex Parte Communication
MB Docket No. 03-15, MM Docket No. 00-167

Dear Ms. Dortch:

This is to advise you, in accordance with Section 1.1206 of the FCC's rules, that yesterday David Fligor, Associate General Counsel & Sr. Director, Intellectual Property of TiVo Inc.; James M. Burger, of this firm; and I met with Cristina Chou Pauzé, Legal Advisor, Media Issues to Commissioner Robert M. McDowell. In the session, we discussed the Consumer Electronics Association's pending Petition for Clarification and/or Reconsideration regarding new content advisory ratings systems. At the meeting, TiVo provided the enclosed handout.

As required by Section 1.1206(b), as modified by the policies applicable to electronic filings, one electronic copy of this letter is being submitted for each above-referenced docket.

Very truly yours,

M. Anne Swanson

Enclosures
cc w/enclosure (by email):
Cristina Chou Pauzé, Esquire

TiVo Inc.

Petition for Clarification of Rules Regarding New Content Advisory Ratings Systems

MB Docket No. 03-15, MM Docket No. 00-167

July 1, 2008

TiVo strongly supports technical solutions to protecting children from exposure to programming deemed harmful by their parents and has complied with the FCC's DTV V-chip requirements by ensuring that TiVo devices are capable of responding to any changes in the existing content advisory system.

- TiVo also has given parents significant new tools for controlling their children's access to content through TiVo KidZone. KidZone allows parents to easily configure program blocking based on existing V-chip ratings and, in addition, allows parents to block any undesired programs that might otherwise appear suitable for their children based on the existing ratings system (or, conversely, permit any desired programs that might otherwise be blocked). KidZone also provides parents with the option to automatically record programming recommended by independent ratings groups and/or programming identified as Educational/Informational ("E/I").

- Consistent with the FCC's rules, each TiVo television receiver manufactured after March 15, 2006 is capable of (1) downloading necessary ratings region table ("RRT") information related to changes in the existing V-Chip ratings system or any new ratings system; and (2) decoding all ratings advisory-related information included with individual programs.

- Each TiVo television receiver is manufactured to download RRT information via the network connection linking the subscriber device to TiVo's centralized servers. Once TiVo downloads the RRT information associated with a changed or new ratings advisory system, the device will decode ratings advisory information included with individual programs. The broadband solution TiVo has adopted is extremely flexible and can accommodate up to 255 ratings advisory systems (*i.e.*, the maximum number of RRTs currently available under the ATSC transmission standard).

- For the reasons outlined in its previous filings, TiVo continues to support CEA's request that the Commission clarify its rules to permit consumer electronics devices to satisfy the new ratings system requirement by accommodating the current ratings advisory system plus an additional system to be situated in RRT 0x05. The potential consumer confusion created by multiple competing ratings systems far outweighs any benefit competing systems would provide parents seeking to protect their children from inappropriate content. At the same time, however, TiVo's solution is flexible enough to accommodate multiple competing ratings systems if the rules so require.

- TiVo's chief concern is that the Commission not adopt any change to its rules that would mandate that new ratings advisory systems be downloaded over-the-air. Such a requirement would foreclose TiVo's network download solution, which is equally effective in helping families benefit from V-chip technology, and would increase costs to consumers. The point of the rule should be that all viewers receive new content advisory ratings systems, not that all devices be required to update ratings advisory systems in precisely the same way.