

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of )  
 )  
Implementation of the Child Safe Viewing ) MB Docket No. 09-26  
Act; Examination of Parental Control )  
Technologies for Video or Audio )  
Programming )

To: The Commission

**REPLY COMMENTS OF  
THE CONSUMER ELECTRONICS ASSOCIATION**

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## SUMMARY

The Consumer Electronics Association and its member companies remain committed to providing parents with innovative and effective products to structure their children's television viewing. As the Commission prepares its report to Congress, it should recognize the vibrant marketplace for advanced blocking technologies available to parents and avoid extended or further regulation that could harm competition, stifle innovation, and result in diminished consumer choice.

The record in this proceeding has demonstrated a vast array of blocking tools available to empower parents to protect their children from inappropriate content. Evidence submitted by numerous commenters shows a wide variety of choices for parents seeking content blocking tools for video programming, such as the V-chip, embedded tools offered by pay television providers and television manufacturers, and retail after-market equipment and software.

Of these tools, the V-chip continues to be an easy-to-use and effective parental tool for the households that rely on it (primarily over-the-air television households), and the most current version of the standard – the “digital V-chip” – can accommodate multiple ratings schemes. In fact, there is no need for additional V-chip regulation, and proposals put forth in this proceeding to reform or enhance the V-chip are unwarranted and infeasible.

CEA and its members consistently have championed the development and deployment of V-chip technology, and have raised concerns when the Commission has proposed or adopted V-chip implementation requirements that are unclear or inconsistent with the V-chip standard. CEA thus encourages the Commission to address CEA's outstanding petition for reconsideration regarding the downloadable V-chip, as referenced in the *NOI*.

Above all, the record clearly demonstrates the high risk of unintended consequences accompanying the imposition of technology mandates – most notably, the inhibition of innovation, competition and consumer choice. Commenters overwhelmingly and correctly recognized the perils of extended government intervention with respect to content blocking technologies. Accordingly, CEA cautions policy makers against adopting any further governmental technology mandates.

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The Consumer Electronics Association (“CEA”)<sup>1</sup> submits these reply comments in response to the Notice of Inquiry (“*NOI*”)<sup>2</sup> issued by the Federal Communications Commission (“FCC” or “Commission”) pursuant to the Child Safe Viewing Act of 2007 (the “CSVA”).<sup>3</sup> The substantial record established thus far in this proceeding amply illustrates the vast array of blocking tools available to empower parents to protect their children from inappropriate content. As demonstrated by numerous commenters, parents seeking content blocking tools for video

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<sup>1</sup> CEA is the principal U.S. trade association of the consumer electronics and information technologies industries. CEA’s more than 2,200 member companies include the world’s leading consumer electronics manufacturers. CEA’s members design, manufacture, distribute, and sell a wide range of consumer products including television receivers and monitors, computers, computer television tuner cards, digital video recorders (“DVRs”), game devices, navigation devices, music players, telephones, radios, and products that combine a variety of these features and pair them with services – all as chosen by consumers in an open marketplace.

<sup>2</sup> *Implementation of the Child Safe Viewing Act; Examination of Parental Control Technologies for Video or Audio Programming*, Notice of Inquiry, MB Dkt. No. 09-26, FCC 09-14 (rel. Mar. 2, 2009) (“*NOI*”).

<sup>3</sup> Child Safe Viewing Act of 2007, Pub. L. No. 110-452, 122 Stat. 5025 (2008) (“CSVA”).

programming have a wide variety of choices that include the V-chip, embedded tools offered by pay television providers and television manufacturers, and retail after-market equipment and software. Although the V-chip is only one element in the universe of parental controls, it remains an easy-to-use solution for the relevant population (over-the-air television households) who choose to use it, and any calls for reform here are unwarranted and infeasible. Moreover, the “digital” V-chip already mandated by the Commission is capable of blocking programming based on multiple downloadable ratings schemes, offering parents greater flexibility and more tailored options in choosing appropriate content for their children.

For these reasons, as further discussed in CEA’s comments and herein, the Commission need not impose any further requirements on the V-chip technology or any alternative technology mandates. Such regulation could stifle innovation and, ultimately, result in reduced choice in advanced blocking technologies for American consumers.

## **I. PARENTS ARE EMPOWERED WITH REAL CHOICE AMONG CONTENT BLOCKING TOOLS AND TECHNOLOGIES**

The record demonstrates an abundance of widely available content blocking tools and technologies.<sup>4</sup> As CEA explained in its comments, the V-chip may be the “buzzword” most associated with parental controls, but it is only one element in a universe of tools available to empower parents. This point is supported by numerous commenters, who have provided detailed information regarding blocking mechanisms available from MVPDs and third-party vendors.

Many pay-television providers offer content blocking controls that help parents protect their children from content that they deem unacceptable. The record indicates that these tools are

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<sup>4</sup> CEA focuses these reply comments on content blocking technologies available for use with traditional video platforms (i.e., broadcast television and similar content delivered over multichannel video programming distributor (“MVPD”) platforms).

easy to understand and use, and that these technologies also can serve as product differentiators in the competitive market for the delivery of video programming. For example:

- AT&T offers controls for its U-verse television platform that can be enabled via consumers' set-top boxes. These controls allow parents to limit the viewing choices of members of their households, block channels and programs, and set limits on the availability of on-demand content.<sup>5</sup>
- Comcast provides channel blocking, program blocking, and video on demand limits. Comcast also allows parents to hide the titles of certain shows from its electronic programming guide.<sup>6</sup> Many of these features are easy to use by navigating Comcast's on-screen guide.<sup>7</sup>
- Cox offers blocking tools that allow parents to block programming by channel, rating, and time period. The Cox program guide also allows parents to hide adult channels and block adult content descriptions.<sup>8</sup>
- DISH Network allows parents to block programming by rating, channel, and content. DISH Network also offers a family-friendly tier of service.<sup>9</sup>
- DIRECTV offers website and on-screen menu options that allow parents to establish pay-per view limits and block out programming by rating and channel.<sup>10</sup> DIRECTV's on-

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<sup>5</sup> Comments of AT&T Inc., MB Dkt No. 09-26, at 6 (filed Apr. 16, 2009).

<sup>6</sup> Comments of Comcast Corp., MB Dkt. No. 09-26, at 3-4, App. 1 (filed Apr. 16, 2009).

<sup>7</sup> *See id.* at App. 1.

<sup>8</sup> Comments of Cox Communications Inc., MB Dkt. No. 09-26, at 3, App. B (filed Apr. 16, 2009).

<sup>9</sup> Comments of DISH Network LLC, MB Dkt. No. 09-26, at 6-7 (filed Apr. 16, 2009).

<sup>10</sup> Comments of DIRECTV, Inc., MB Dkt. No. 09-26, at 1, 3 (filed Apr. 16, 2009).

screen menus are understandable and easy to navigate.<sup>11</sup> DIRECTV also has partnered with Common Sense Media to provide integrated, age-based ratings information on its website.<sup>12</sup>

- Verizon FiOS offers digital video recorder (“DVR”) functionality that allows parents to block programming, hide information on adult-rated content, and prevent any unauthorized video on demand, pay per view, or subscription purchase.<sup>13</sup>
- Many analog cable viewers have access to free, simple, and effective content blocking technologies, while digital set-top boxes provide even more options for parents. Digital blocking tools vary by set-top box, but can include the ability to block programming based on age-appropriateness, content description, and rating. Some cable operators also offer expanded ratings information through on-screen guides or on the Internet.<sup>14</sup>

In addition, innovative tools to block objectionable content on television are available from sources other than MVPDs. For example, Custom Play has developed a product that allows consumers to selectively play, mute, or skip portions of movies depending upon consumers’ content preferences in 14 separate categories of objectionable content.<sup>15</sup> Although not the focus of these reply comments, CEA notes that the record also shows that parents seeking tools to

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<sup>11</sup> *Id.* at 6-10.

<sup>12</sup> *Id.* at 10-11.

<sup>13</sup> Comments of Verizon and Verizon Wireless, MB Dkt. No. 09-26 (filed Apr. 16, 2009).

<sup>14</sup> Comments of National Cable & Telecommunications Association, MB Dkt. No. 09-26, at 8-12 (filed Apr. 16, 2009) (“NCTA Comments”).

<sup>15</sup> Comments of Custom Play LLC, MB Dkt No. 09-26, at 1 (filed Apr. 1, 2009).

protect their children from objectionable content on the Internet and other delivery platforms (such as video games and wireless handsets) also have a wide range of options.<sup>16</sup>

## **II. THE V-CHIP IS AN EFFECTIVE TOOL THAT WOULD NOT BENEFIT FROM ADDITIONAL GOVERNMENT MANDATES**

### **a. The V-chip is Easy to Use**

As explained in more detail in CEA's comments, the V-chip is an effective and easy-to-use tool that allows parents to protect their children from inappropriate or harmful content.<sup>17</sup> As with other parental control technologies, parents can access the V-chip technology using a remote control and on-screen menu, select appropriate ratings limitations, and designate a PIN code to ensure security.

In the *NOI*, the Commission cites an Annenberg Public Policy Center study conducted a decade ago, in which the Center found that "programming the V-chip is a multi-step and often confusing process."<sup>18</sup> This conclusion drawn from a single study that tested a single television from a single manufacturer should not guide the Commission's analysis. In fact, TV user interfaces have improved dramatically over the past decade, and today, V-chip functionality is as easy to access and use as any other TV functionality.

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<sup>16</sup> See e.g., Comments of Family Online Safety Institute, MB Dkt. No. 09-26, at 5-9, App. A (filed Apr. 16, 2009) (describing content tools offered by Internet access providers, websites, and software programs); Verizon and Verizon Wireless Comments at 9-11; Comments of Microsoft, MB Dkt. No. 09-26, at 6-7 (filed Apr. 16, 2009); Comments of CTIA – The Wireless Association, MB Dkt. No. 09-26, at 7-12 (filed Apr. 16, 2009).

<sup>17</sup> Comments of the Consumer Electronics Association, MB Dkt. No. 09-26, at 16-17 (filed Apr. 16, 2009) ("CEA Comments").

<sup>18</sup> *NOI* at ¶ 15.

**b. The Low Usage Rate of the V-chip Does Not Indicate a Lack of Effectiveness**

Although some commenters cite low usage rates to support calls for further V-chip regulation,<sup>19</sup> these numbers are not an indicator of ineffectiveness nor do they justify additional government action. As the broadcast television, cable, and motion picture industries have pointed out, “V-chip use has *grown* over the years,” and “a majority of parents report using the [TV Parental] Guidelines to monitor their children’s exposure to programming they deem inappropriate.”<sup>20</sup> Importantly, low usage rates do not tell the full story – in part because they are not measured for the relevant population. For example, as one commenter correctly recognized, some surveys of V-chip and parental control usage are over-inclusive (and thus yield artificially low usage rates) because their analysis “unfairly include[s] all households,” rather than only those that actually have a need to employ parental control technologies.<sup>21</sup>

Moreover, even for households with a need for blocking tools, there are many reasons for a lack of V-chip usage that have nothing to do with the efficacy of the technology. Most notably, as the record and CEA’s comments amply indicate, the majority of Americans receive their television service through an MVPD provider, and MVPD subscribers typically choose to employ platform-specific technologies that apply to both broadcast and non-broadcast

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<sup>19</sup> See e.g., Comments of Children’s Media Policy Coalition, MB Dkt. No. 09-26, at 3-5 (filed Apr. 16, 2009) (“CMPC Comments”).

<sup>20</sup> Joint Comments of National Association of Broadcasters, National Cable & Telecommunications Association and Motion Picture Association of America, MB Dkt. No. 09-26, at 2 (filed Apr. 16, 2009) (emphasis added).

<sup>21</sup> Comments of Adam Thierer, Progress & Freedom Foundation, MB Dkt. No. 09-26, at 19 (filed Apr. 16, 2009). As a result, households without children or with children who are either too young or too old for the V-chip to be a practical tool are inappropriately measured. In fact, only 32% of U.S. households have children, and it is an even smaller subset of that number that may desire to use parental controls. *Id.* at 14-16.

programming, rather than the V-chip.<sup>22</sup> The reportedly low V-chip usage rates thus are not an appropriate metric or justification for regulatory action; indeed, the fact that consumers often choose to employ technologies other than the V-chip weighs in favor of a light regulatory touch – rather than further regulation – with respect to parental controls.

**c. Proposed Changes to the V-chip are Unwarranted and Infeasible**

Since the V-chip was mandated, considerable resources have been dedicated to its implementation and consumer education. CEA was a proud leader in developing the V-chip standard and remains the leader in the development of the next iteration, the digital V-chip. Although the V-chip may not have some of the same advanced functionalities as other, non-mandated blocking technologies available in the marketplace, it remains an effective tool for those who use it. For several reasons, there is no basis to justify imposition of any further mandate in this area.<sup>23</sup>

First, there is no need for additional V-chip regulation. As the Center for Democracy and Technology (“CDT”) observed, “video viewing is increasing moving away from the broadcast media,” and therefore, “we question whether the FCC should at this time impose a major redesign of the V-chip.”<sup>24</sup> Further, according to the CDT, additional “mandate[s] would be costly, and the resources would likely be better allocated toward educational efforts about the V-

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<sup>22</sup> See CEA Comments at 6-7; NCTA Comments at 2, 7-11.

<sup>23</sup> As discussed in CEA’s comments, the government generally should avoid the imposition of technology mandates. CEA Comments at 4, 8. This is true irrespective of the quality of a particular technology. For example, CEA does not support technology mandates even for those technologies, such as TVGuardian, that it recognizes with innovation awards. See Comments of TVGuardian, LLC, MB Dkt. No. 09-26, at 28-29 (filed Apr. 16, 2009).

<sup>24</sup> Comments of Center for Democracy and Technology, MB Dkt. No. 09-26 at 8 (filed Apr. 16, 2009) (“CDT Comments”).

chip and other parental empowerment tools.”<sup>25</sup> Moreover, as DISH Network recognized, though the V-chip mandate was well intended, it actually “demonstrated that a mandated, uniform approach may limit options for consumers and result in low usage.”<sup>26</sup> In particular, the Commission should reject calls to modify the V-chip in the following ways, which are unnecessary:

- Suggestions to modify the V-chip by adding an educational and informational (“E/I”) “rating”<sup>27</sup> are based on a fundamental misunderstanding of the technology. The purpose of the broadly used TV Parental Guidelines (used with or without the V-chip) is to allow parents to block objectionable programming, not to identify educational or informational programming. E/I descriptors, on the other hand, are used to signal the characteristics of programming rather than a rating. Broadcast programming displays this E/I label through different mechanisms than the V-chip ratings scheme. The ATSC system supports labeling of E/I content through the Genre Descriptor defined in the A/65 Program and System Information Protocol (PSIP).
- The Commission should not mandate incorporation of a dedicated V-chip button on television set remote controls, as such a button is unnecessary.<sup>28</sup> As a threshold matter, accessing and enabling the V-chip is already an intuitive and straightforward process. Moreover, requiring an extra button could, in fact, result in consumer confusion,

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<sup>25</sup> *Id.*

<sup>26</sup> Comments of DISH Network at 1.

<sup>27</sup> See Comments of Coalition for Independent Ratings, MB Dkt. No. 09-26, at 3 (filed Apr. 16, 2009) (“CFIRS Comments”); Comments of Common Sense Media, MB Dkt. No. 09-26, at 8 (filed Apr. 16, 2009); CMPC Comments at 13.

<sup>28</sup> Comments of Wi-Lan Inc., MB Dkt. No. 09-26, at 2 (filed Apr. 26, 2009); CFIRS Comments at 5.

especially because many families rely on blocking technologies provided by their television service provider instead of the V-chip. Finally, there is no prohibition against a manufacturer developing and deploying a remote control with a V-chip button if the market demand supports such a feature. In fact, the competitive markets for consumer electronics products and the delivery of video programming encourage the development of new family-friendly technologies that can serve as product differentiators. The fact that a V-chip button is not already ubiquitous in this parental control marketplace only demonstrates that there currently exists little market demand for such a tool.

- Default “family-friendly” television settings and V-chip enabling, as well as additional packaging inserts, are all unnecessary proposals.<sup>29</sup> Requiring default family friendly settings or V-chip set-up for all televisions is not only un-justified but could be confusing to consumers. As this proceeding has demonstrated, parents interested in content blocking tools or family friendly programming tiers already have an abundance of options. Programming a television with the V-chip or other technology requires only a minimal amount of effort. As a result, mandating defaults is unnecessary because there are already an abundance of easy-to-use alternatives. Moreover, pre-programmed or family-friendly defaults could have an unintended consequence of causing tremendous confusion (not to mention annoyance) for the majority of American households who do not require content blocking schemes. Similarly, television user manuals and other resources contain detailed descriptions of how to use the V-chip. Requiring an additional

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<sup>29</sup> See Wi-Lan Comments at 2; CFIRS Comments at 5.

V-chip packaging insert would be redundant and of no use to the majority of households for which the V-chip is not the preferred content blocking technology.

In addition to the unnecessary nature of the proposals for V-chip reform set forth in this proceeding, some proposed changes to the V-chip are simply not feasible or technologically sensible. For example:

- Digital watermarking and similar digital rights management (“DRM”) technologies are not a viable replacement for the V-chip.<sup>30</sup> Although not discussed in their comments here, proponents of digital watermarks have for years sought legislation that would require televisions to incorporate watermark detection technology as a means of controlling the conditions under which consumers have access to content that may be subject to copyright protection. Fair use proponents, including many consumer electronics manufacturers and public interest groups, have opposed these attempts as inconsistent with the Supreme Court’s *Sony Betamax* decision.<sup>31</sup> By touting digital watermarking technology in the instant proceeding, the proponents appear to be seeking another avenue to achieve the goal of requiring televisions to incorporate this DRM functionality. The Commission should not consider a highly controversial proposal to mandate DRM technology in this proceeding, which is focused on empowering parents with choices in parental control tools. In any event, other considerations also weigh against replacing the V-chip with digital watermarking. Mandated watermarking would raise a host of questions surrounding obligations to transmit, detect and decode

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<sup>30</sup> See Comments of Digimarc Corporation, MB Dkt. No. 09-26, at 2, 9 (filed Apr. 16, 2009); Comments of Digital Watermarking Alliance, MB Dkt. No. 09-26 (filed Apr. 16, 2009).

<sup>31</sup> *Sony Corp. of America v. Universal City Studios*, 464 U.S. 417 (1984).

watermarks. In addition, notwithstanding proponents' claims that digital watermarks "persist" through transformations of broadcast content, it is not clear at this point what effect compression/decompression processes (including those employed by MVPDs) will have on watermarks.<sup>32</sup> The Commission would also have to explore the ownership and licensing terms of any necessary intellectual property rights before mandating digital watermarking or similar technologies.<sup>33</sup> Attempts to replace the V-chip make little sense in light of the effectiveness of the V-chip, the massive amount of resources that have gone into its development and deployment over the past decade, and the diminishing population of over-the-air viewers.<sup>34</sup>

**d. The Commission Should Clarify Existing V-chip Requirements**

CEA and its members consistently have championed the development and deployment of V-chip technology, and have raised concerns when the Commission has proposed or adopted V-chip implementation requirements that are unclear or inconsistent with the V-chip standard. For example, as the Commission indicated in the *NOI*, CEA requested clarification of the downloadable V-chip requirement immediately following its adoption.<sup>35</sup> Rather than heeding

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<sup>32</sup> Even if watermarks are able to withstand present-day video compression, that does not guarantee that they will be able to survive future, improved video compression systems. A related concern relates to whether televisions have the processing power to detect watermarks, especially if they have been damaged by video compression.

<sup>33</sup> As demonstrated by the intellectual property concerns arising over the V-chip, the Commission should look beyond self-serving technology mandate proposals that may result in a windfall to a patent holder.

<sup>34</sup> Moreover, any new mandates would introduce a new design constraint that could inhibit future innovation (*e.g.*, by making future compression systems more complex or less effective.).

<sup>35</sup> *NOI* at ¶ 22, n. 59; Consumer Electronics Association, Petition for Clarification and/or Reconsideration, MB Dkt. No. 03-15, RM-9832, at 5-6 (filed Nov. 3, 2004) ("CEA Petition for Reconsideration")

calls to investigate manufacturers with respect to a vague requirement,<sup>36</sup> CEA instead urges the Commission to resolve CEA's outstanding petition for reconsideration as referenced in the *NOI*.<sup>37</sup>

**e. The Downloadable V-chip Supports Multiple Ratings Schemes**

As CEA's comments demonstrate in greater detail, the current iteration of the V-chip standard, ANSI/CEA-766-C, enables the downloadable and updateable V-chip through the reception of a new Rating Region Table ("0x05" or "RRT 5"). Televisions currently being manufactured are therefore capable of receiving information broadcast over the air that could be used to generate new, alternative rating schemes.

CEA is an ANSI-accredited standards development organization that practices open standards development processes and procedures. All parties interested in helping to define the ratings parameters for RRT 5 have been long-invited by CEA to participate in the process. For those seeking to expand the V-chip with third-party ratings systems, participation in CEA's standards process is a necessary first step.<sup>38</sup> While it should go without saying that any proposed changes to the V-chip must take into account the practical limitations of the technology, CEA is concerned that some proposals in the record do not reflect this perspective. For example, the

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<sup>36</sup> See CMPC Comments at 8.

<sup>37</sup> See NOI at ¶ 22, n. 59.

<sup>38</sup> Of course, as the CMPC and DISH Network have pointed out, in order for the V-chip to recognize and give effect to any ratings scheme, programmers would have to voluntarily rate their content according to that scheme, and broadcasters would need to carry such program ratings in the broadcast signal. See CMPC Comments at 8; DISH Network Comments at 2-3.

CEA standards process is the proper venue to discuss proposals to include additional content descriptors such as indicators for the presence of alcohol, tobacco, or illegal drugs.<sup>39</sup>

As the standards organization responsible for RRT 5, CEA also wishes to clarify the record as to the capacity of RRT 5 to support multiple descriptors or languages. Commenters' claims that the "amount of space available in RRT 5 is extremely limited" and that with the addition of new descriptors, it would be "extremely difficult to add a new ratings system in both English and Spanish"<sup>40</sup> are incorrect. Adding additional English-Spanish ratings dimensions would require only 100-150 bytes each. Thus, in contrast to the example in the CFIRS appendix, RRT 5 could actually hold an additional four or five bilingual dimensions beyond the three that CFIRS identifies.<sup>41</sup> RRT 5 is thus well-positioned to support multiple ratings schemes and concerns about potential capacity constraints are both premature and unfounded.

**f. The Commission Should Address Outstanding Intellectual Property Issues Related to the V-chip**

As the Commission recognized in the *NOI* and CEA has stated in various filings, there remain open intellectual property issues surrounding implementation of RRT 5.<sup>42</sup> Specifically, in 2004, CEA filed a Petition for Reconsideration of the Commission's DTV Periodic Review Second Report and Order in which CEA requested Commission review to prevent competitive abuse through the patent process.<sup>43</sup> At that time, it appeared that certain entities were expecting

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<sup>39</sup> See CFIRS Comments at 3.

<sup>40</sup> See *id.* at 5-6.

<sup>41</sup> See Appendix.

<sup>42</sup> See *NOI* at ¶ 22, n. 59; CEA Comments at 22; CEA Petition for Reconsideration at 6-9.

<sup>43</sup> See CEA Petition for Reconsideration at 6-9.

to receive a windfall from television manufacturers,<sup>44</sup> and nothing in the record today alleviates this concern or moots the need for Commission action on CEA’s Petition for Reconsideration.<sup>45</sup>

### **III. FURTHER TECHNOLOGY MANDATES FOR PARENTAL CONTROLS WILL HARM, RATHER THAN BENEFIT, THE PUBLIC INTEREST**

The record clearly demonstrates the high risk of unintended consequences accompanying the imposition of technology mandates – most notably, the inhibition of innovation.

Commenters overwhelmingly and correctly recognized the perils of extended government intervention with respect to content blocking technologies. As Microsoft explained, “applying new government mandates to technologies and services that are rapidly changing – or just developing is unnecessary, and likely to be detrimental, both to product and service innovation and to innovation in parental control tools.”<sup>46</sup> And, given rapid marketplace evolution, any extended or further content blocking mandates would require additional regulatory process that could both delay and retard the development of new technologies.<sup>47</sup> Thus, additional, government-mandated technology deployments in this area would stifle innovation, reduce competition, and deprive consumers of choice in content blocking tools. Moreover, further regulation in this area would be inconsistent with the goal of the CSVA, which, as CDT explains, “is not to identify possible mandates, restrictions, or requirements to be placed on providers, but instead to promote the development of tools that a parent can optionally choose to use.”<sup>48</sup>

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<sup>44</sup> *See id.*

<sup>45</sup> *Cf.* Wi-Lan Comments at 5.

<sup>46</sup> Microsoft Comments at 2.

<sup>47</sup> Verizon and Verizon Wireless Comments at 11-12.

<sup>48</sup> CDT Comments at 5.

Similarly, efforts to create any uniform rating, blocking, and filtering standards across all technology and media platforms are short-sighted and impractical. First, as the record amply demonstrates, consumers benefit most from the diversity of parental control tools and ratings by which they can establish media rules tailored to their family needs. Second, pursuing common standards across all platforms would not achieve the objectives of the CSVA. Although consistency across platforms may appear beneficial on the surface, addressing the real differences between platforms, standards, and devices could take an enormous amount of time, if it were ever possible to achieve, and would result in a “lowest common denominator” that would be supportable by the most capacity-constrained platform. Thus, any standard or technology would likely be doomed to obsolescence, even before its implementation.<sup>49</sup> And as the Family Online Safety Institute succinctly states, “there is no one silver bullet solution.”<sup>50</sup> Third, as Adam Thierer correctly notes, “any move to force ‘universal,’ top-down solutions could destroy future innovation.”<sup>51</sup> Assuming *arguendo* that it is even possible to coalesce all stakeholders around a non-existing and speculative universal content blocking technology, the incentive to innovate could be diminished. Finally, American families adopt and implement media rules in their homes that they believe are most appropriate to protect their children from inappropriate content. Policymakers should not lose sight of this fact by pursuing overarching government mandates with little public benefit when so many tools are already available on the market.

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<sup>49</sup> AT&T Comments at 10-11.

<sup>50</sup> Comments of Family Online Safety Institute, MB Dkt. No. 09-26, at 5 (filed Apr. 16, 2009).

<sup>51</sup> Adam Thierer, Progress & Freedom Foundation, Comments, MB Dkt. No. 09-26, at 98 (filed Apr. 16, 2009).

## **CONCLUSION**

In preparing the report for Congress required by the CSVA, the Commission should bear in mind the vibrant marketplace that has provided numerous choices to parents seeking advanced blocking tools to protect their children. The consumer electronics industry urges the Commission to help preserve innovation in this marketplace and the vast array of advanced blocking technologies that it provides.

Respectfully submitted,

**CONSUMER ELECTRONICS ASSOCIATION**

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May 18, 2009

## APPENDIX

### Coalition for Independent Ratings RRT-5 Example

Field	Bits	Bytes	Value
rating_region_table_section() {			
<b>table_id</b>	8	1	0xCA
<b>section_syntax_indicator</b>	1		
<b>private_indicator</b>	1		
<b>reserved</b>	2		
<b>section_length</b>	12	2	
table_id_extension {			
<b>reserved</b>	8	1	
<b>rating_region</b>	8	1	5
}			
<b>reserved</b>	2		
<b>version_number</b>	5		
<b>current_next_indicator</b>	1	1	
<b>section_number</b>	8	1	0
<b>last_section_number</b>	8	1	0
<b>protocol_version</b>	8	1	0
<b>rating_region_name_length</b>	8	1	64
<b>rating_region_name_text()</b>	var	64	* US Augmented Advisories/Aumentado Clasificacion US
<b>dimensions_defined</b>	8	1	3
for (i=0; i< dimensions_defined; i++) {			
<b>dimension_name_length</b>	8	1	43
<b>dimension_name_text()</b>	var	43	E/I Ratings/Clasificacion E/I
<b>reserved</b>	3		
<b>graduated_scale</b>	1		
<b>values_defined</b>	4	1	3
for (j=0; j< values_defined; j++) {			
<b>abbrev_rating_value_length</b>	8	1	0
Table overhead size:			81

abbrev_rating_value_text()	var	0	<null>
rating_value_length		8	1 0
rating_value_text()	var	0	<null>
abbrev_rating_value_length		8	1 11
abbrev_rating_value_text()	var	11	E/I
rating_value_length		8	1 11
rating_value_text()	var	11	E/I
abbrev_rating_value_length		8	1 15
abbrev_rating_value_text()	var	15	non-E/I
rating_value_length		8	1 15
rating_value_text()	var	15	non-E/I
}			Dimension size: 103
dimension_name_length		8	1 45
dimension_name_text()	var	45	Substance Abuse/Abuso de Drogas
reserved		3	
graduated_scale		1	
values_defined		4	1 3
for (j=0; j< values_defined; j ++) {			
abbrev_rating_value_length		8	1 0
abbrev_rating_value_text()	var	0	<null>
rating_value_length		8	1 0
rating_value_text()	var	0	<null>
abbrev_rating_value_length		8	1 10
abbrev_rating_value_text()	var	10	AA
rating_value_length		8	1 44
rating_value_text()	var	44	Alcohol Abuse/Abuso de Alcohol
abbrev_rating_value_length		8	1 10
abbrev_rating_value_text()	var	10	DA
rating_value_length		8	1 40
rating_value_text()	var	40	Drug Abuse/Abuso de Drogas
}			Dimension size: 157
dimension_name_length		8	1 39
dimension_name_text()	var	39	Tobacco Use/Usos de Tabaco
reserved		3	

<b>graduated_scale</b>		1		
<b>values_defined</b>		4	1	2
for (j=0; j< values_defined; j ++) {				
<b>abbrev_rating_value_length</b>		8	1	0
<b>abbrev_rating_value_text()</b>	var		0	<null>
<b>rating_value_length</b>		8	1	0
<b>rating_value_text()</b>	var		0	<null>
<b>abbrev_rating_value_length</b>		8	1	10
<b>abbrev_rating_value_text()</b>	var		10	TU
<b>rating_value_length</b>		8	1	39
<b>rating_value_text()</b>	var		39	Tobacco Use/Usode Tobaco
}				
}				
<b>reserved</b>		6		
<b>descriptors_length</b>		10	2	0
for (i=0; i<N; i++) {				
<b>descriptor()</b>				
}				
<b>CRC_32</b>		32	4	

Dimension size: 94

TOTAL **435** bytes  
% used 42%