

LAW OFFICES
GOLDBERG, GODLES, WIENER & WRIGHT
1229 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036

HENRY GOLDBERG
JOSEPH A. GODLES
JONATHAN L. WIENER
LAURA A. STEFANI
DEVENDRA ("DAVE") KUMAR

(202) 429-4900
TELECOPIER:
(202) 429-4912
general@g2w2.com

—
HENRIETTA WRIGHT
THOMAS G. GHERARDI, P.C.
COUNSEL

—
THOMAS S. TYCZ*
SENIOR POLICY ADVISOR
*NOT AN ATTORNEY

October 2, 2009

ELECTRONIC FILING

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

Re: *Ex Parte*, CS Docket No. 97-80

Dear Ms. Dortch:

This is to inform you that on October 1, 2009, Matthew Zinn, Senior Vice President, General Counsel, Secretary & Chief Privacy Officer, TiVo Inc. ("TiVo") and the undersigned met with Rick Kaplan, legal advisor to Commissioner Mignon Clyburn, and, later met with Bureau Chief William Lake, Robert Ratcliffe, Nancy Murphy, Mary Beth Murphy, Steven Broeckaert, Brendan Murray, and Alison Neplokh, all of the Media Bureau.¹

We discussed issues relating to Section 629 of the Communications Act, including the movement of channels from one-way to two-way technologies such as switched digital video. We also expressed TiVo's view that as operators deploy new technologies to provide programming delivered on a per channel basis, they must ensure that unaffiliated retail devices that are technically capable of receiving such programming can continue to receive those signals.

¹ Of the undersigned, Mr. Kumar attended only the latter meeting with the Media Bureau staff.

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 style with a large, prominent "H" and "G".

Henry Goldberg
Devendra Kumar
Attorneys for TiVo Inc.

cc: Rick Kaplan
William Lake
Robert Ratcliffe
Nancy Murphy
Mary Beth Murphy
Steve Broeckaert
Brendan Murray
Alison Neplokh