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April 26, 2010

ELECTRONIC FILING

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

Re: Ex Parte, CS Docket No. 97-80, PP Docket No. 00-67

Dear Ms. Dortch:

This is to inform you that on April 23, 2010, Matthew Zinn, Senior Vice President, General Counsel, Secretary & Chief Privacy Officer, TiVo Inc. ("TiVo") and the undersigned had a telephone conversation with Paul de Sa, Chief of the Office of Strategic Planning and Policy Analysis.

We discussed the *Fourth Further Notice of Proposed Rulemaking (FNPRM)* in the above-referenced proceeding, including the provisions regarding the failures in the implementation of the Commission's CableCARD policies for set-top boxes, particularly the problems associated with CableCARD deployment and support.

We also stressed the importance that, in the context of the *FNPRM*, the Commission should address the issue of the movement of linear channels to "two-way" technologies such as switched digital video, and expressed TiVo's view that to provide any meaningful choice to consumers, broadband connected retail CableCARD devices need to be enabled to receive and transmit out-of-

band communications with cable operator headends over IP to enable such devices to provide direct access to all switched digital channels without the use of operator-provided equipment in the subscriber's home.

This discussion followed the arguments made in the petition for reconsideration or clarification filed by TiVo on July 27, 2009, File Nos. EB-07-SE-351, EB-07-SE-352, and its ex parte filing on February 17, 2010 in NBP Public Notice #27, GN Docket Nos. 09-47, 09-51, 09-137, and CS Docket No. 97-80.

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
Attorney for TiVo Inc.

cc: Paul de Sa