

October 4, 2010

Ms. 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:

On Friday, October 1, 2010, Dr. Paul Liao, President and Chief Executive Officer of CableLabs, Jud Cary, Vice President of Video Technology Policy and Deputy General Counsel of CableLabs and Paul Glist of Davis, Wright, Tremaine, held separate meetings with Paul de Sa, Chief, Office of Strategic Plans and Policy, Douglas Sicker, Chief Technology Officer and Marilyn Sonn of Chairman Genachowski's office; and with William Lake, Kris Monteith, Michelle Carey, Nancy Murphy, Mary Beth Murphy, Brendan Murray, Alison Neplokh, Steven Broeckaert, and Jeffrey Neumann of the Media Bureau.

We expressed support for the proposal in the Fourth FNPRM that CableLabs certification testing requirements for UDCPs be limited to compliance with the Commission's UDCP rules, with updates identified in NCTA Comments of June 14, 2010, p 26. CableLabs' currently follows that practice with UDCPs.

We explained that testing requirements for UDCPs are contained in commercially-accepted CableLabs' licenses for one-way products. Such licenses also include content protection requirements (compliance and robustness rules and associated indemnities) to protect content and enforce copy control limitations once content is delivered to the home; intellectual property provisions under which all licensees make available reciprocal reasonable and nondiscriminatory licenses to assure each other the continued ability to use CableLabs licensed technology for distributing cable programming; and warranties that devices will not disrupt, impede or impair the delivery of cable services (including advertising) to subscribers. We discussed current models for the distribution of commercial video content, the tru2way MOU and related licenses for two-way devices as described in NCTA's "AllVid" Comments of July 13, 2010 and Reply of August 12, 2010; and the Consumer Principles to which NCTA's cable operator members are committed and which NCTA submitted to the Commission in a Letter from Kyle McSlarrow, President and CEO, NCTA, to Julius Genachowski, Chairman, FCC, NBP Public Notice #27, GN Docket Nos. 09-47, 09-51, & 09-137, CS Docket No. 97-80 at 2

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(Mar. 12, 2010). We suggested that proposals that go beyond clarifying the testing requirements for UDCPs should be explored in the "AllVid" Inquiry.

We recommended that in revising its rules for high definition set-top box outputs, the Commission should refrain from establishing the physical layer of outputs and should refrain from codifying higher layer functional aspects (such as remote control signaling) that are being developed in various multi-industry forums such as DLNA.

Very truly yours,

/s/

Paul Glist

cc: Paul de Sa  
Douglas Sicker  
Marilyn Sonn  
William Lake  
Kris Monteith  
Michelle Carey  
Nancy Murphy  
Mary Beth Murphy  
Brendan Murray  
Alison Neplokh  
Steven Broeckaert  
Jeffrey Newmann  
Dr. Paul Liao  
Jud Cary