



MOTION PICTURE ASSOCIATION OF AMERICA, INC.

October 7, 2010

Ms. 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:

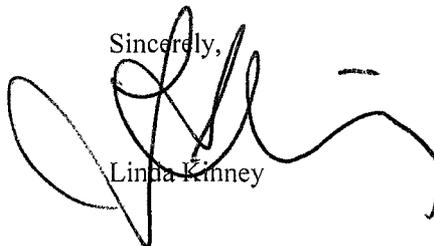
On Tuesday, October 6, 2010, Linda Kinney and Krishnan Rajagopalan of the Motion Picture Association of America (MPAA) met with Brad Gillen and Krista Witanowski of Commissioner Baker's office; Rosemary Harold of Commissioner McDowell's office; and Rick Kaplan, Marilyn Sonn, Sherrese Smith of the Chairman's office. On Wednesday, October 7, 2010, they met with Josh Cinelli of Commissioner Copps' office; Paul de Sa and Douglas Sicker of the Office of Strategic Planning and Policy Analysis; and Eloise Gore of Commissioner Clyburn's office.

First, we addressed issues that were raised in MPAA's Petition for Reconsideration, filed on December 29, 2003. Specifically, we emphasized that programmers should be permitted to encode their subscription video-on-demand (SVOD) content as restrictively as "Copy Never." We noted that Starz had originally filed an opposition to the MPAA Petition for Reconsideration on March 10, 2004, but subsequently withdrew its petition and expressed support for MPAA's petition in an *ex parte* letter dated April 15, 2005. Specifically, Starz stated that SVOD "should be reclassified from an 'Undefined Business Model' to a 'Defined Business Model,' and that, as a Defined Business Model, subscription on demand service should be permitted to be encoded as restrictively as 'Copy Never.'" SVOD is no longer a "new" business model. As a practical matter, the SVOD business model is very similar to the VOD business model, and there is no policy reason to treat them differently.

Second, we emphasized the importance of content protection and other requirements that were privately negotiated between the CE and cable industries and incorporated into the CableLabs licensing regime. Specifically, we stressed that the CableLabs licensing requirements have already been commercially accepted by major consumer electronics companies and that significant changes to the licensing scheme would be a major disruption to current business models. We also described other licensing regimes that were a result of industry negotiations and led to new and innovative products being made available to consumers.

Please let us know if you have any questions.

Sincerely,



Linda Kinney

cc: Brad Gillen
Krista Witanowski
Rosemary Harold
Rick Kaplan
Marilyn Sonn
Sherrese Smith
Josh Cinelli
Paul de Sa
Douglas Sicker
Eloise Gore