



March 17, 2011

VIA ELECTRONIC FILING

Ms. Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Ex Parte Presentation Notice, Video Device Competition, MB Docket No. 10-91; Commercial Availability of Navigation Devices, CS Docket No. 97-80; Compatibility Between Cable Systems and Consumer Electronics Equipment, PP Docket No. 00-67

Dear Ms. Dortch:

This letter is submitted pursuant to 47 C.F.R. § 1.1206.

On March 16, 2011, Jeffrey T. Lawrence of Intel Corporation, Bruce Turnbull representing Panasonic Corporation, Dean Short representing Toshiba America, and the undersigned representing Hitachi, Ltd., met with Sherrese Smith and Marilyn Sonn, Legal Advisors to Chairman Genachowski, and Douglas Sicker, Chief Technologist; and, on March 3, 2011, Paul Schomburg representing Panasonic Corporation of North America, and Mr. Short and the undersigned met with William Lake, Chief of the Media Bureau, Nancy Murphy, Associate Chief, Steven Broeckart, Senior Deputy Chief of Policy Division, Alison Neplokh, Chief Engineer of Office of the Bureau Chief, Lyle Elder, Legal Advisor, and Brendan Murray, Media Bureau; Michelle Carey, Deputy Bureau Chief, attended by telephone.

The presenters each represent a founding company of the Digital Technology Licensing Administrator LLC, the entity that licenses the Digital Transmission Content Protection technology ("DTCP"). DTCP protects digital transmissions of content between devices connected on a home network. DTCP for Internet Protocol ("DTCP-IP") is included as the content protection technology for the Digital Living Network Alliance (DLNA) standards. DTCP also is approved to protect transmissions of prerecorded content from Blu-Ray or DVD players; consumer-recorded content such as to and from personal video recorders, recordable Blu-Ray or DVD discs, or memory cards; and, under the current CableLabs licenses, content originally delivered by an MVPD to the subscriber in encrypted form as it traverses across devices on the home network.

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The purpose of the meetings was to explain how end-to-end content protection would be achieved across the home network for content delivered to MVPD subscribers through an AllVid gateway. The discussion followed the attached presentation.

In brief: Content protection involves a combination of robust technology and enforceable licensing requirements. The most commonly-used content protection systems for video rely on a chain of licensing obligations, and prohibitions against circumvention of those systems under the Digital Millennium Copyright Act, 17 U.S.C. § 1201(a), (b). Content owners authorize distribution of their content conditioned upon application of particular content protection technologies at each stage of the process: distribution to the home; home recording (where permitted); and outputs between devices in the home network. Manufacturers of devices up to the point of display of that content must obtain a license to decrypt the protection technologies. Those licenses also require that any further digital output of the content must be protected using specified content protection technologies that are acceptable to the content owner. And, the licenses to those specified technologies provide that protected content may only be handed off to equally protective technologies.

For content currently delivered by MVPDs, protection occurs through such a seamless series of licenses. Content owners and networks license their content to the MVPD. Those licenses require application of conditional access protections to the signal transmitted to the home subscriber, and content protection at the output of any device that decrypts the conditional access technology. MVPDs license a conditional access technology to protect the content from the MVPD plant to the home subscriber. Manufacturers of devices that deliver MVPD content into the home license both the right to decrypt the conditional access technology and one or more technologies to protect the signals output from the device. Licenses to output protection technologies that are approved for use by content owners only permit the protected content to be passed to devices that also protect the content in accordance with rules set by the content owner; or, in the case of linear content, by the encoding rules set by the Commission. Notably, all this occurs by operation of the market; no Commission regulation specifically requires content protection on the output of navigation devices today, yet content protection is fully achieved and available for MVPD-delivered content.

Today, CableLabs is the licensor of the CableCARD technology to decrypt encrypted cable signals to the home. The CableLabs licenses' Compliance Rules require that every permitted digital output protocols must apply content protection: HDMI, DisplayPort and DVI use HDCP; an OCUR interface uses Windows Media DRM or Real Helix DRM; Internet Protocol uses DTCP-IP or Motorola's IPRM; and so on. Those Compliance Rules further may specify how the content protection rules set by the content owner must be translated into the rules of the output protection technology; for example, section 2.4.4 of the CableLabs Compliance Rules specifies the protection elements to be included for digital outputs that use DTCP-IP. The DTCP "Adopter Agreement," available online at

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http://dtcp.com/documents/licensing/DTLA_Adopter_Agreement.pdf, permits further digital output or (where permitted) recording of protected content only using technologies that have proved to be at least as strong as DTCP both in terms of technological protection and licensing enforceability, in accordance with Objective Criteria published by DTLA. DTLA's Content Participants have a right of prior review for any approval of other output and recording technologies to interoperate with DTCP. As a result, content remains protected from the MVPD into the home, and when passed to each device on the home network; and the content owner's rules are preserved and properly mapped among the different protection methods.

In the AllVid environment, the only significant change will be that competitive entities would be able to license conditional access technologies instead of only CableLabs. Each of these competitive entities will need to meet the content protection requirements set by the content owners and MVPDs. Therefore, the licenses to competitive conditional access technologies will require application of output protection technologies acceptable to the content owners, just as the CableLabs licenses do today. End-to-end protection in this way would be achieved from the content owner through to each device on the home network, to the same extent as it is today.

In accordance with Section 1.1206 of the Federal Communications Commission rules, this letter is being provided to your office. A copy of this notice has been delivered via email to the persons listed below.

Respectfully submitted,

/s/ Seth D. Greenstein

Seth D. Greenstein

cc: Steven Broeckaert
Michelle Carey
Lyle Elder
William Lake
Nancy Murphy
Brendan Murray
Alison Neplokh
Douglas Sicker
Sherrese Smith
Marilyn Sonn