

Title:

Mr

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Representing:

Self

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What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Ofcom should only publish this response after the consultation has ended:

You may publish my response on receipt

Additional comments:

Question 1: Do you agree that copy management would broaden the range of HD content available on DTT and help secure its long term viability as a platform? :

Maybe for a limited range of first run content

Question 2: Do you agree that the BBC's proposed multiplex licence amendment represents the most appropriate means for securing an effective content management system on HD DTT? :

N/A

Question 3: Do you agree with the proposed change to Condition 6 in the Multiplex B Licence? :

N/A

Question 4: Do you agree that Multiplexes C and D should be granted a similar amendment to their Licences as Multiplex B?. :

N/A

Question 5: Do you agree that the BBC's proposed approach for implementing content management would safeguard citizens and consumers legitimate use of HD content, and if not, what additional guarantees would be appropriate? :

N/A

Question 6: Do you agree that the BBC's proposed choice of content management technologies will have only a negligible impact on the cost of HD DTT receivers and their interoperability with other HD consumer equipment? . :

N/A

Question 7: Do stakeholders agree that the BBC's proposed Huffman Code licensing arrangements would have a negligible effect on the market for HD DTT receivers? :

N/A

Question 8: Do the BBC's proposed content management states and their permitted use for different categories of HD content meet the requirements of other HD broadcasters on DTT? . :

N/A

Question 9: Are there any issues that you consider Ofcom should take into account in assessing the BBC's proposal, that have not been addressed by this consultation?:

The premise of the consultation is that HD programming will be viewed on television sets, either using set top boxes or integrated digital TVs. That no longer holds though as viewers are increasingly watching and recording television on computers, both desktop and laptop and increasingly PCs are connected to TVs (media centre PCs) for television watching along with other media. This is done by adding a TV tuner (separate box, PC card, USB stick) and recording onto the computer's hard-drive.

This raises a couple of issues:

1) DRM is very hard to apply to computers in a way which cannot be cracked. Blu-ray has been cracked despite its high specification, as were DVDs a long time ago. Simply flagging content is unlikely to work for long. So even if PC TV tuner and software manufacturers are persuaded to implement the proposal it may not work to protect intellectual property while at the same time making the use of the programming more difficult and confusing for ordinary viewers (DRM always adds complication for users, without fail).

2) EPG content for PC TV tuners is available from third parties (usually for a small annual fee). Will the BBC be able to prevent third party EPG providers from distributing EPG for PC based TV recorders that do not respect the DRM controls? As these are probably the main source for internet distributed videos that could imply that this proposal will do little to address the main concern.

It seems likely that content providers will eventually accept that a broadcast piece of programming is out in the wild and its redistribution after that is almost impossible to limit. Entities providing content to Apple's iTunes (mainly record companies) have gradually relaxed their requirement for DRM. Content providers are adapting their model to reflect the need to generate most revenue early in the life of a piece of work hence restrictions on copying and redistribution of work by the time it is broadcast (even on a first run) are likely to prove unnecessary and may become little used by the time the use of terrestrial HD is widespread.