

Title:

Mr

Forename:

Dewi

Surname:

Morgan

Representing:

Organisation

Organisation (if applicable):

MorganAlley Ltd

Email:

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:

As an amateur film producer, an electronics engineer, a British citizen, and a license payer, I am strenuously against this violation of the trust we place in our regulators.

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? :

No. This system will reduce, not enlarge, the amount of material available in HD.

I refuse to release any content under such DRM.

That is my policy, the policy of my company, and the policy of my associates. I admit that we don't produce much, but what little we do produce will be restricted by license from being commercially used on such a system.

We will encourage as many others as possible to also reject this system.

Since no credible threat has been shown to the range of content in the absence of DRM, and no credible new source of content has been shown that will come from it, the above pledge represents a reduction in the range of content available.

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? :

No. As an electronics engineer and programmer, I feel that the BBC's proposal to scramble Huffman tables is laughable. Even the BBC agrees. It will expensively inconvenience me in my work, but that's about the limit of it.

There is no way this scheme can be considered effective at carrying out the task set by Ofcom in the consultation at 3.1.2 or 4.11.

Even though it's inadequate, even replacing it with something better would still be inadequate. DRM is broken by design: you are giving people the key to access the content, and then saying "you mustn't use the key to access the content!"

There has never been, and *can never be*, uncrackable DRM. The US has given up on this approach, and instead passed an insane law preventing consumers from modifying their own hardware. That would be the only way to make this system work.

Since all DRM is cracked, and it only takes one person finding a crack to make violations trivial for everyone, the DRM just is revealed an expensive and pointless white elephant.

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

No. Ofcom should not abdicate its regulatory responsibility to the DLTA in this way. The BBC is a public service, not a corporate marketing channel for the large film industry.

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

No. Ofcom should not abdicate its regulatory responsibility to the DLTA in this way. The BBC is a public service, not a corporate marketing channel for the large film industry.

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? :

No. The whole point of DRM is to attempt to *remove* their legitimate fair use.

The only additional guarantee that would be appropriate would be: "all DRM content will also be available without DRM, with no loss of fidelity or quality".

At which point, the DRM just becomes an expensive and pointless white elephant... but we already established that above.

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? . :

No.

It bans open development.

It also requires licensing.

Neither of these are "negligible", and both of these will affect interoperability and costs significantly.

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? :

No.

Since it would restrict the market to the UK only, it would have a devastating effect on the market, and hugely reduce our ability to shop on the open market.

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: I do not know these broadcasters' requirements.

As a producer, it fails my "no DRM" requirement, though.

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 US already had this discussion, and realised the idea was flawed.
You are wasting my money as a taxpayer by even considering it.

