

What do you want Ofcom to keep confidential?:

Keep name 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? :

No, The stated benefit of getting content sooner than it would be released without protection but after it has been released on pay services doesn't seem to add great value to the platform. HD content recorded of Multiplex B will be at a lower bit rate than Blu Ray so those wishing to engage in illegal distribution are likely to prefer using the mechanisms which reportedly exist to copy Blu Ray disks rather than rely on a poorer off air copy.

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, because the proposal omits some important points

1) Whilst it is possible as stated in section 5.28 to provide licenses to manufacturers who are using open source software outside of the video processing stack (i.e. using Linux as the OS) it is not possible to do so in cases where open source software is involved in the video processing, for example programs such as MythTv or KdeTv. In other markets use of open source software has tended to start with the operating system and then extend to higher level components.

2) In the case of internet connected receivers the receiver does not necessarily need to use the OTA EPG data as it could alternatively rely on EPG data from the XMLTV project or similar.

3) The protection provided is likely to be minimal as someone who wanted to distribute a

program illegally would be more likely to be using a card plugged into a PC (when they become available) than a dedicated receiver so could use software to capture the card output directly bypassing the content management.

4) As the Huffman tables do not directly protect DRMed content they probably don't constitute part of an effective TPM and hence when (not if) they are either reverse engineered or extracted from a licensed receiver they would appear to be legal to distribute. It is worth noting here that many webcams use a fixed Huffman coding and don't transmit the tables to reduce their bandwidth requirements and authors of reverse engineered drivers for those cameras have successfully reverse engineered the Huffman tables.

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

No, for the reasons stated above

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

Clearly the same rules must apply for Multiplexes C & D as for Multiplex 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? :

No, to do so would require that the Huffman codes were available to use in open source software, not just on platforms where there was other open source software present. Such licensing would be further complicated by the fact that such software would not be able to obtain a license for AAC3.

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? . :

One the market matures, no, as receiver manufacturers will not be able to take advantage of available open source software in certain parts of their software. Also a large number of the earlier HDTV televisions (certainly any that have component but not HDMI inputs) are incompatible with HDCP.

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, for the reasons stated above

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? . :

No opinion offered

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?:

No