

**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, I disagree. At present, I have not seen examples where the BBC has failed to negotiate for digital content because of its lack of copy protection. Money appears to be the biggest factor in securing new media for broadcast over terrestrial television.

In addition, the claim that implementing copy management would allow the BBC to secure more content from abroad suffers from a serious flaw - in the majority of cases there is a time lag between the airing abroad (say, the content is aired on HBO a few days before the BBC). By the time the programme reaches the UK, it will undoubtedly be available at Bittorrent sites already, so implementing the copy protection only harms legitimate users.

In addition, I believe that implementing the protection will cause an increase in piracy, as people will no longer be able to copy from their recorders to other media such as DVD or to their mobile devices and will simply resort to downloading the content illegally.

**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? :**

The solution that is proposed seems technically sound, but I believe that it would be more effective to encrypt the entire video stream, rather than just the scheduling information. Someone with a custom device will surely be able to retrieve the unencrypted video content quite easily with the proposed solution.

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

No. I disagree with the proposed change on the grounds that:

a) I do not believe that a content management system is a requirement for securing high definition video content for the licence payer, and hence would not actually benefit the licence payer at all, while curtailing the existing ability to record and transfer video programs from the television. This argument is also strengthened when one considers the fact that other broadcasters on the freeview platform are also currently restricted from encrypting their HD video. The argument that the BBC will be somehow impaired in their negotiations is baseless.

b) A more effective solution would be to encrypt the video data, rather than the just schedule information.

In addition, one must question why an effective content management system is required in the first place, considering that it has never been a requirement for the analogue terrestrial or conventional freeview streams.

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

No, I do not agree that the licences for multiplexes C and D should be amended because of the lack of a convincing need for the content management

However, were the amendment granted to Multiplex B, I see no objection to changing C and D as well.

**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, in fact I believe that there are many legitimate uses (such as recording a video for use in education and archiving) which are going to be potentially restricted by this amendment.

**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. At present users of personal computers have a great deal of freedom in choosing a digital receiver card and may use it with any operating system and software they like (e.g. Linux). The current system also allows for free experimentation and use of the video streams by software and hardware engineers, which benefits research and a part of our local software industry.

It is likely that if the HD content is encrypted, this ability to access the television streams will be entirely restricted to fee-paying developers working on Windows or Mac!

**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? :**

I do not have sufficient data to decide one way or another.

However, I would not be likely to upgrade to a HD DTT receiver with these kinds of restrictions, and would probably opt for some kind of internet stream technology instead.

**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? . :**

I cannot comment on this.

**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?:**

I believe that the justifications for implementing this amendment are severely lacking and fail to see how this benefits the licence payer in any way!

I believe that a good justification in terms of the benefit (if any) to the licence payer or general public must be given before this proposal can be seriously considered. In addition, I believe that we could benefit from a good cost-benefit analysis (from the taxpayer's perspective) of the cost to upgrade all the existing freeview equipment to transmit these encrypted streams, and the cumulative cost to individual homes of upgrading receiver equipment to receive the encrypted streams.