

**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 American networks tried the same thing and in the end no content creators withheld any programming.

**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, I disagree. The amendment will hinder perfectly legitimate uses of multiple copies of legally obtained content (i.e. a family downloading a show to a couple of phones, devices or iPods.) Single copy restriction is too limiting, while being laudable to stop illegal distribution.

The wide availability of equipment to copy video cassettes, audio cassettes and CDs didn't and hasn't stopped those markets from being a success.

The BBC is publicly funded and we should not be dictated to by the MPAA that we need to use DRM to secure viewing rights, these are scare tactics and nothing more.

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

No. The BBC is a public service broadcaster, funded by public money. Therefore they should be required to keep all content freely accessible to the public.

If this, in turn, means that some content providers refuse to deal with the BBC, then so be it. It is for the provider to meet the BBC's requirements of openness; not for the BBC to close its service to keep certain monopoly providers happy.

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

No, for the same reasons as question 3.

**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 safeguard fair use, equality of access, compatibility with all devices, the potential for innovation, not to mention avoiding inconvenience and additional cost, the BBC should be required to keep all content available unencrypted.

This has worked for Analog TV; it works for the BBC website; it works for Radio and the World Service. Why make a change for the worse now?

In addition, "content management" will lock out non-standard users (for example, low production volume devices for the disabled and the visually impaired).

Finally, if the BBC only makes its content available to certain platforms, it will be breaking its charter by endorsing specific commercial products.

**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

**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

**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

**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?:**

HD DDT is just launching, having had to wait quite late into 2009 for the sanctioned transmission method to be agreed. Such changes would set back public confidence in that, once more, there is likely to be another set-top box required to access such content services.

Consumer equipment manufacturers have already embarked on delivery of "Freeview HD" capable devices. They, and consumers, are not likely to benefit from changes required to introduce support for content management.

Digital Switchover is well beyond planning and now into implementation. The impact to all broadcasters and citizen consumers should be considered as part of the reason not to accept these changes.