

**Title:**

Mr

**Forename:**

Samuel

**Surname:**

Pattuzzi

**Representing:**

Self

**Organisation (if applicable):**

**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:**

In summary I feel that any DRM system proposed would encroaches on my rights as a consumer under copyright law. I do not feel it is acceptable for the BBC, a public service none the less, should be take away my rights given to me by law.

**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 do not agree. To see why we must simply look to the USA. When a similar system was proposed and rejected the level of content provided was not reduced.

These content providers have never before had this level of control, however, is it reasonable to assume that this has stopped them from providing content? No. The content will be provided at the same level with or without restrictions.

**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? :**

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

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

**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, I do not. The restrictions put in place would go well beyond the restrictions put down by copyright law. They restrict the devices I can use and the software I can use on them.

As a firm believer in free/open source software I wish to be able to use software such as MythTV to record the DTT stream. A perfectly legal activity under UK law for personal use:

Section 8: Acts that are allowed

[http://www.copyrightservice.co.uk/copyright/p01\\_uk\\_copyright\\_law](http://www.copyrightservice.co.uk/copyright/p01_uk_copyright_law)

In fact most of the legal uses listed in the law would be prohibited.

**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, I do not. People who have already purchased equipment that would be capable of viewing HD DTT without the DTLA restrictions would be penalised without due cause. The equipment purchased can often be expensive and the BBC, providing a service to the licence payer, should aim to incur no cost for these early adopters.

Also, as mentioned above, the cost for free/open source software is far from negligible. In fact it is arguably infinite as under the DTLA restriction it would be impossible to distribute such software with source code.

**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? :**

**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? . :**

**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 system proposed by the BBC despite all other argument is technically useless. It has already been shown to be breakable and let us not fool ourself, the criminals that can do most damage are the ones determined enough to use technology to break this encryption.

This leaves the door open for them to redistribute via other means such as the internet and P2P filesharing, meaning than only one stubborn person has to break the encryption for everybody to be able to access the content without DRM.

Additionally, much content will also be available in the USA without DRM therefore it will be accessible from the UK via the methods mentioned above (internet sites and P2P filesharing).