Title:

Mr

Forename:

Dan

Surname:

Stowell

Representing:

Self

Organisation (if applicable):

Queen Mary University of London

Email:

What do you want Ofcom to keep confidential?:

Keep nothing confidential

If you want part of your response kept confidential, which parts?:

Email address

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? :

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? :

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? . :

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? :

Unfortunately not. The consultation document discusses compatibility with open-source systems and considers that because some existing linux-based freesat receivers "implement similar content management technologies" that there is therefore no licensing issue which would prevent open-source software from implementing the BBC's licensed lookup table.

However this is mistaken. The assertion makes a confusion between an open-source operating system (linux) and open-source software that runs on top of the operating system. The operating system is essentially irrelevant for this issue; it is the software which would need to implement the algorithm in question, and the BBC's proposed licensing requires an undertaking which is directly incompatible with standard open-source licenses (such as the GPL and LGPL) which do not permit the use of source code to have such undertakings enforced (since that limits the freedom of use which the licenses are intended to preserve).

Hence the proposed licensing limits the market, not for linux-based receivers, but for receivers of any type which use open-source (eg GPL or LGPL) software for the application layer. This of course limits opportunities for commercial developments for startups using free software as a basis, which is increasingly a very common way for technology startups to develop their IP platform.

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?: