

Title:

Mr

Forename:

Sam

Surname:

Wessel

Representing:

Self

Organisation (if applicable):

Email:

samwessel@gmail.com

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:

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. "Copy management" would be a dangerous step towards the BBC restricting content from its own licence fee payers. It seems to me nothing more than an effort to satisfy the

demands of corporate "content owners", whose out-dated, restrictive business models are rapidly falling apart. If the BBC is to continue to encourage new talent and innovation from content creators, they need to allow licence fee payers to consume BBC content however they choose, or risk viewers going elsewhere for access to their content.

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 BBC appear very capable of managing their content without restricting the actions of viewers. As I understand it, the BBC have insisted DRM would only be applied to a minority of programming only otherwise available in paid-for forms - sourced from overseas pay-TV channels, for example, or available on DVD/Blu-ray. In this case I suggest that the BBC abandon this programming altogether - there are already platforms in place for this content, and the BBC would be better spending its resources on original content - thus eliminating the need for any DRM.

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

No. "A shotgun on the mantelpiece in Act 1 will surely have gone off by Act 3" - once DRM measures are in place it seems unlikely that it will remain for just a minority of programming, as more and more content owners start demanding further restrictions, tracking of viewer habits, and the myriad insidious possibilities that DRM provides.

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 I have outlined above. This seems to be a pre-emptive expansion of bad idea yet to be implemented.

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. It is restrictive, even to the extent that it may fall foul of "fair usage" laws, integral to the creation of "mash-ups" for example - a technique previously encouraged by the BBC. The BBC is, justifiably, trying to strike a balance between the rights of viewers and the demands of content owners, but are leaning too far toward the latter. In particular, when viewers realise they cannot transfer BBC content to their portable device they will quickly choose another source of content.

Surely they could simply provide content with the appropriate corresponding licence, such as Creative Commons, or reserving all rights. This works perfectly well for other mediums, such as photography or print media. I don't see why the demands of corporate content owners should be a special case.

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. It would have dramatic effects on the availability of open source driven hardware, effectively wiping it out, and limiting viewers choices of hardware to vastly more expensive receivers from those manufacturers willing to adopt the BBC's arbitrary DRM rules.

It would prevent viewers transferring BBC content to their portable devices and create headaches for consumers using content in all sorts of legitimate ways that are incompatible with the restrictive demands of content owners.

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. Again, it would have dramatic effects on the availability of open source driven hardware, effectively wiping it out, and limiting viewers choices of hardware to vastly more expensive receivers from those manufacturers willing to adopt the BBC's arbitrary DRM rules.

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?: