Title:

Mr

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Representing:

Self

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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:

Thank you for providing the public with the opportunity to comment.

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. DRM serves to frustrate legitimate users and lock out anyone on an unsupported platform. It does not prevent determined crackers from re-publishing the 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? :

Yes, but the question is moot. An "effective content management system" is itself a thoroughly bad idea.

Implementing a bad thing competently is no credit to the BBC.

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

No.

In particular, this would lock out all users of open source software, as such software is intended to be modified by the end users, and therefore could not keep keys confidential.

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.

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" (i.e. access restrictions) will
lock out non-standard users (for example, low production volume devices for the disabled).

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

An absolute minimum guarantee is that the BBC must ensure full compatibility with Linux based devices running only GPL version 3 licensed software. If this condition is met, it will ensure that the platform is sufficiently open for all the other requirements to be satisfied too.

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 will add substantial cost, and guarantee wide incompatibility.

For example, I currently use the Open Source MythTV system, which costs me nothing. The proposal will completely cut out MythTV and any other open source offerings from the market.

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? :

There is nothing wrong with the technical use of Huffman Coding, and this itself will have small commercial costs. However, the coding format and specification must be openly and freely available to all users.

Furthermore (as above), the decryption keys must be made available to (at least) all UK license payers for free, on request.

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? . :

Not really relevant. The BBC is a public service broadcaster, and is obligated to provide the best service to the UK (and, in general, to the World).

If other HD broadcasters wish to encrypt their transmissions, they are welcome to do so.

However, the BBC should not be obligated to make its own offering less useful, merely to avoid competing with another broadcaster which has chosen to hobble its own offering.

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?:

* Access from Open platforms.

* Access to all users, including special cases such as the visually impaired. [Most DRM

systems lock out the disabled]

* Ability to have fair dealing/fair use (for example, the ability to make an unencrypted copy of an excerpt for use as a quotation, or for research/education purposes).

* Accessibility for non-UK users. Although the BBC has no legal responsibility to do this, I feel there is a moral obligation to make the BBC's educational material available to poorer countries, and the current affairs material available to citizens of countries without a free media.

* A possible compromise might be to allow the BBC to encrypt a small minority of retransmissions, where the source is a 3rd party, while requiring at least 90% of the output (and all the BBC's own content) to remain freely accessible.