

Rider X.2
Prepared by CE and IT Representatives to the BPDG Drafting Committee
Discussion Draft -- February 15, 2002

[Note to BPDG: it is assumed for purposes of technical evaluation that the instrument promulgating the Compliance Requirements and Robustness Requirements would address the concepts reflected in Section X.2, below.]

X.1 [Intentionally Left Blank]

X.2 Sale or Distribution of Products.¹

(a) Demodulation Functions.

(1) No person² shall sell or distribute a Demodulation Function unless, at the time of such sale or distribution, such Demodulation Function

(A) is, or is incorporated into, a product that complies with the Compliance Requirements and was manufactured in accordance with the Robustness Requirements; or

(B) is distributed or sold to a person that has committed in writing only to sell or otherwise distribute such Demodulation Function in accordance with Section X.2(a)(2).

(2) No person that has committed in writing only to sell or otherwise distribute a Demodulation Function or product incorporating a Demodulation Function in accordance with this Section X.2(a)(2) shall sell or otherwise distribute such Demodulation Function or product unless, at the time of such sale or distribution, such Demodulation Function or product

(A) is, or is incorporated into, a product that complies with the Compliance Requirements and was manufactured in accordance with the Robustness Requirements; or

¹ We anticipate that the instrument promulgating these requirements would include a reasonable notice period before the obligations set forth herein become effective. We also anticipate that an appropriate provision would be crafted so as to exempt these requirements from applying to products that are specifically intended for professional video and broadcast use.

² Scope of obligation to be discussed in the parallel group.

(B) is distributed or sold to a person that has committed in writing only to sell or otherwise distribute such Demodulation Function or product in accordance with this Section X.2(a)(2).

(b) Downstream Products. No person shall sell or distribute a Downstream Product unless, at the time of such sale or distribution, such Downstream Product complies with the Compliance Requirements and was manufactured in accordance with the Robustness Requirements.