From: []@zenith.com
Sent: Friday, May 31, 2002 9:02 AM
To: 'bpdg-tech@list.lmicp.com'
Subject: Re: BPDG: Philips Comment on proposed modulator language

All,

Zenith strongly disagrees with the latest proposed changes to the modulator language in
X.3 and X.4. As Philips and others have pointed out there is no reason why unmarked
content from a demod or trusted source should not be allowed to be remodulated. In
essence we end up with a modulator with few to no valid inputs, which is a rather
useless device.
As a majority of others have either reserved opinions, until additional time has been
granted for a full discussion of the effects intended and unintended, such as 5C and CIG
have, or made valid arguments for rejecting this proposal, as a number of CE companies
have, Zenith requests that the wording be returned to the previous proposal until such
time as a complete discussion can be undertaken.

Further to the proposed change to delete "consumer" in the following paragraph...

3.1   The BPDG recognized the need for requirements defining how compliant systems
should implement the proposal on an architectural level, and how the implementation of
such systems could be made robust against CONSUMER hacking.

We support Sharp in the having concerns over the level of effort needed to make systems
robust against professional hackers who might be highly trained and adequately funded.
Perhaps a different word such as "user" would make more sense, but the clear intent has
to be to prevent nonprofessionals from circumventing the controls rather than thwarting
professional thief/hackers, a task more suited to law enforcement and the courts

[]
Senior Vice President
Research & Technology
Zenith Electronics Inc.

Sent by: owner-bpdg-tech@host3.lmicp.com
To: <Bpdg-tech@list.lmicp.com>
Subject: BPDG: Philips Comment on proposed modulator language

[Philips] has asked me to post the following comment on Fox's proposal regarding
modulators in X.3 and X.4.

Dear All,

In response to the submission of [] of Fox, Philips has the following comments.

For completeness we include the added text (a replica of this text appears in two places
in the document)

[to the output of an 8-VSB, 16-VSB, 64-QAM or 256-QAM modulator included in such
Covered Product that, if capable of receiving and modulating any content other than
Unscreened Content or Marked Content (e.g., any content received through an unprotected
analog or digital input) ("Unknown Content"): (A) does not output such Unknown Content
unless it first inspects the EIT and PMT and determines that the Broadcast Flag is not
present in such Unknown Content; and (B)is not capable of itself inserting the
Broadcast Flag in such Unknown Content [1],[2]

We do not understand why the language has now been changed to refer only to Unscreened
or Marked Content, rather than any content from an unprotected analog or digital input,
as originally proposed.

First, there is no apparent reason why unmarked content received either through a modulator or from a trusted source should not be allowed to be output over a modulator. Is it Fox's proposal that such an output would be prohibited, either by the proposed X.3 and X.4 language or by the separate regulation referenced in footnote 2?

Second, as we understand "Unscreened Content" and "Marked Content," they are defined narrowly to mean content that is demodulated within the particular Covered Product, and not to include other content received by that product that may be received from a trusted source. We can see no reason why a product (even if it falls within the definition of Covered Product) should not be allowed to use a modulator to output content received from a trusted source that has identified the content as originally having been Marked Content or Unscreened Content (or even unmarked content). Thus, we believe the original trusted source approach more accurately accomplished the goal of not allowing a fraudulent RC descriptor to insulate content from other copy protection systems.

Further, we agree with the essence of Sharp's comment that this issue is best solved by the rules governing watermark reading, rather than imposing this limitation on modulators in the BPDG context. [Where we differ from the Sharp's comment is on the question of whether the 4C license is the appropriate source of those obligations, but that is a matter for another day.]

Finally, there is no reason to impose the limitations of clauses (A) or (B) in X.3 or X.4 as long as they are contained in the general rule applicable to all modulators referenced in footnote 2. Of course, the permission to use the modulated output (as distinguished from the limitations on those modulators) must be contained in X.3 and X.4.

I hope this input helps clarify this complex issue.

Kind regards,

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