



### **Notice of Encoding Rules for UK HD DTT Transmission Service**

DTLA has been asked by the Digital Television Group in the United Kingdom (“DTG”) to allow DTG to apply DTCP to the forthcoming High Definition Digital Terrestrial Transmission service, referred to as “Freeview HD.” DTG anticipates content owners would be more willing to provide higher value and earlier window content to Freeview HD if content protection technologies were available to deter unauthorized digital retransmission and unlimited digital copying. DTG further notes that manufacturers want to introduce home and personal networking and recording capabilities in their Freeview HD receivers. To meet these two requirements, DTG wishes to support DTCP from launch.

In response to DTG’s request, DTLA is willing to permit content owners to encode certain programming with DTCP for the UK HD DTT Transmission service, subject to Encoding Rules (attached below) that permit consumers to network and record the transmitted HD content. In overview:

- Consumers always can make at least one copy of any program transmitted on the service. When DTCP is applied, only “EPN” encoding and “Copy One Generation” encoding are permitted, both of which permit personal copying.
- “Copy Never” encoding (such as might be applied to prerecorded media or pay-per-view-services) is not permitted for this service.
- All content can be transmitted with “EPN” encoding (with limited exceptions that exclude any use of DTCP). “EPN” does not restrict the number of copies that can be made, but each copy must be protected (*e.g.*, encrypted) against digital retransmission outside the home or personal network.
- “Copy One Generation” encoding (enabling the making of a protected copy that cannot further be copied) is permitted to be applied to the type of content that could be so encoded in other major markets. Copy One Generation encoding cannot be applied if that content is transmitted in any major market in HD format without content protection.

These copies can be used consistent with the other capabilities and requirements of the DTCP licenses, including the ability to network protected content throughout home and personal networks; to move protected copies to other devices or formats; and to transmit and record content interoperably using numerous other protection technologies.

Following final regulatory approval of the UK HD DTT proposed content management and compliance regime that includes the use of DTCP, DTLA will incorporate these Encoding Rules into the DTLA license agreements and the IP Statement, current versions of which can be found at <http://www.dtcp.com>

## Encoding Rules for UK HD DTT Transmission Service

For inclusion in Section 5 of the DTCP Content Participant Agreement:

**5.4 Encoding for UK HD DTT Transmissions.** Notwithstanding the provisions of Sections 5.1 – 5.3, for the High Definition Digital Terrestrial Transmission service in the United Kingdom, consisting of a free-to-air non-conditional access high definition terrestrial digital audiovisual transmission system of multiplexed channels available without subscription or payment and excluding any portion of a service that enables an individual consumer to select a particular program to be transmitted only to that individual consumer (“UK HD DTT”), Content Participants may not encode, or direct to be encoded, using DTCP Commercial Audiovisual Content so as to prevent or limit copying thereof, except as follows:

**5.4.1. Copy One Generation.** Content Participant may encode, or direct to be encoded, using DTCP Copy One Generation encoding:

- a. content that previously has been available only in theatrical release or only on Prerecorded Media in any country of the world, and has not previously been licensed for television broadcast in any country of the world; or,
- b. content that --
  - i. was transmitted in North America, Japan, any Western European country, or in any country constituting a major market for such audiovisual programming (each a “Major Market”), by or under license from a person or entity authorized to license such transmission, and each such transmission has been made over Video on Demand, Pay-Per-View, Subscription-on-Demand, or Undefined Business Models that are comparable to the foregoing, or Pay Television Transmissions, and
  - ii. either—
    - A. has not been lawfully transmitted in any Major Market in greater than Standard Definition format without using one or more digital copy protection methods (*i.e.*, methods that impose numerical copy restrictions), including by way of example DTCP encoding and display-only methods, or,
    - B. is a version created specifically for the market in the United Kingdom, other than by minor editing processes typically performed for English-speaking foreign-produced programs re-broadcast in the United Kingdom, of a program that was broadcast or is scheduled to be broadcast in another country; or,
- c. content that is co-produced by Content Participant and one or more other entities and is scheduled to be transmitted in a Major Market by or under license from one or more of the other co-production partners using a method of delivery set out in b(i) above and satisfies the condition set out in b(ii)(A).

**5.4.2 Encryption Plus Non-assertion (“EPN”) Encoding.** Content Participant may encode, or direct to be encoded, using DTCP EPN encoding any content that is broadcast over the UK HD DTT service, except that EPN encoding may not be applied to content that is broadcast (a) over another service in the United Kingdom in High Definition, (b) at or about the same date as the broadcast over the UK HD DTT service, and (c) without using one or more digital protection methods (*i.e.*, methods that impose numerical copy restrictions, restrictions upon retransmission, or both), including by way of example DTCP EPN encoding.

**5.4.3 Copy Never.** For the avoidance of doubt, Content Participant may not encode, or direct to be encoded, using DTCP Copy Never encoding content for transmission over the UK HD DTT service.