



Via: Courier/ Email

August 25, 2017

Mr. Shri Sunil Kumar Singhal,
Advisor (B&CS) TRAI on the email address
Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan
Jawahar Lal Nehru Marg
New Delhi – 110002
E-Mail - sksinghal@traai.gov.in.

Re: MPDA comments on TRAI Consultation Note on “Solution Architecture for Technical Interoperable Set Top Box” dated August 11, 2017

Dear Sir,

The Motion Picture Dist. Association (MPDA) is a trade association representing six major international producers and distributors of films, home entertainment and television programs.¹ The companies that we serve devote substantial effort and resources to developing a wide range of entertainment content and services in a variety of formats and on a variety of media, including the Internet.

We are therefore grateful for the opportunity offered by TRAI to comment on the consultation note on “Solution Architecture for Technical Interoperable Set Top Box.” Because our studios are not in the set-top business, it is not our intention to provide detailed comments, but rather to propose for your kind consideration the following principles to ensure that any proposal under consideration does not inadvertently hinder the production, distribution, or security of high-value film and television content.

1. The boxes must not disrupt copyright holders’ rights to determine whether, how, through whom, when, where, and under what terms and conditions to disseminate their content. Additionally, any regulation must not prescribe or limit the type of

¹ The Motion Picture Dist. Association (India) Pvt. Ltd. (MPDA)), is a wholly-owned subsidiary of the Motion Picture Association, a trade association representing six major international producers and distributors of films, home entertainment and television programmes: Paramount Pictures Corporation, Sony Pictures Entertainment Inc, Twentieth Century Fox Film Corporation, Universal City Studios LLLP, The Walt Disney Studios and Warner Bros. Entertainment Inc.

contractual provisions governing the presentation or protection of content, which may be contained in the licensing agreements between content companies and distributors.

2. Anyone using the boxes to distribute copyrighted content must be in privity with the copyright holders and must abide by all license terms pertaining to that content, such as how the content is secured, presented, and commercialized; to whom the content is distributed; and how the box collects and uses data about what consumers are watching.
3. Content providers/digital platform operators must be able to test in advance and periodically audit the boxes, and to suspend the boxes' access to content if the boxes are or become insecure or otherwise out of compliance.
4. Content providers/digital platform operators must be able to determine which protection measures are employed, as well as change them in the event they become compromised or as technologies advance.
5. Set-top box security must be thoroughly assessed by independent security assessment companies certified or appointed by TRAI or competent authorities. The protocol between the boxes and smart cards must be reviewed by experts to ensure the robustness of the implementation of the boxes.
6. The proposal must not inadvertently weaken content protection or chill innovation in content protection technologies. For example, the MPDA is concerned that the proposal to create a centralized trust authority will result in a "single point of failure". A centralized trust authority will be an attractive target for attacks, hinder effective compliance and robustness frameworks, and inhibit diversity in content protection mechanisms. For example, different distribution platforms and even different distributors using similar platforms often rely on different trust authorities. A centralized trust authority cannot accommodate such diversity. Moreover, if a centralized trust authority is compromised, then everyone's systems become compromised. Additionally, in such an event, revoking access for one compromised distributor cannot be done without revoking access for all distributors beholden to the centralized trust authority. Standardization of content protection mechanisms can similarly weaken security, as well as hinder the ability of parties to develop, experiment with, and implement diverse solutions. Such diversity itself enhances

security. The proposal must therefore refrain from adopting regulations that limit the types of security solutions content providers and distributors may implement; avoiding the “single point of failure” result. Any rules and standards must also remain technologically neutral, both to accommodate different platforms and to preserve a competitive market for security solutions.

7. Similarly, the proposal must not inadvertently chill innovation in the production, distribution, and presentation of film and television content and television services. For example, content providers/digital platform operators must be able to change set-top features as their content and services evolve with technology and new business models.
8. The devices must not co-mingle Internet and non-Internet content except as permitted in the content license agreements, or enable users to display both authorized and unauthorized content in search results. More broadly, the devices must not have the ability to present content in any manner that is not expressly authorized by the underlying license agreement with the distributor.

As India continues to develop its thriving broadcast industry, it is essential to ensure the outcome will be a secure, interoperable set-top box that respects copyright and the evolving television marketplace.

We thank you for the opportunity to comment and remain available and interested for further participation in TRAI’s continued consideration of this and other important issues.

Best regards,



Uday Singh
Managing Director
Motion Picture Dist. Association, India