

Advertisement

washingtonpost.com > Technology > Latest Wires

TechNews.com

Print This Article
E-Mail This Article
Subscribe to The Post

Court Debates Anti-Piracy TV Technology

Advertisement

By *Ted Bridis*
AP Technology Writer
Tuesday, February 22, 2005; 1:16 PM

QUICK QUOTES

Enter Symbol go
Tables | Portfolio | Index

A U.S. appeals panel on Tuesday challenged new federal rules requiring certain video devices to have technology to prevent copying digital television programs and distributing them over the Internet.

MOST VIEWED ARTICLES

Technology On the Site

U.S. Circuit Judge Harry T. Edwards told the Federal Communications Commission it "crossed the line" requiring the new anti-piracy technology in next-generation television devices. But another appeals judge on the panel questioned whether consumers can challenge the FCC's rules in the courtroom.

Updated 7:15 a.m. ET

- ChoicePoint Victims Have Work Ahead
- GSA Eligibility May Help Qwest's New MCI Bid
- Spammers Seeking Out Instant Messengers, Survey Shows
- High-Tech Tension Over Illegal Uses
- ID Theft Scam Hits D.C. Area Residents

The technology, known as the broadcast flag, will be required after July 1 for televisions equipped to receive new digital signals, many personal computers and VCR-type recording devices. It would permit entertainment companies to designate, or flag, programs to prevent viewers from copying shows or distributing them over the Internet.

RSS NEWS FEEDS

Top News
Latest Wires
What is RSS? | All RSS Feeds

Edwards, the former chief judge of the U.S. Circuit Court of Appeals for the District of Columbia, questioned the FCC's authority to impose regulations affecting television broadcasts after such programs are beamed into households.

The FCC's lawyer, Jacob M. Lewis, acknowledged the agency never had exercised such ancillary power but maintained it was permitted by Congress since lawmakers didn't explicitly outlaw it.

"Ancillary does not mean you get to rule the world," Edwards said. He said the FCC "crossed the line" beyond its authority approved by Congress. "You've gone too far," he said. "Are washing machines next?"

Another circuit judge, David B. Sentelle, agreed. Sentelle acknowledged entertainment companies could be reluctant to

PHOTOS From Today's Post



Prospective bidder Tommy Tucker views one of the 38 islands owned by businessman George Sydnor. All will go to the highest bidders in one of the most unusual auctions ever held in Va. (Jahi Chikwendu -- The Washington Post)

[SEE FULL COLLECTION](#)

[Feedback](#)

FEATURED ADVERTISER LINKS

- Unlimited Calls to US & Canada \$24.99/month
- Tech Investing is Dead. 4 Best Bets Now. FREE
- Final Four Tickets, Maryland Terps Tickets
- Celebrex lawyers, Vioxx attorneys.
- Drink Less Water
- \$160,000 Mortgage for Under \$735/Month!
- Bose Triport Headphones. Save \$20
- 30 COMMISSION-FREE trades. Now at Ameritrade.
- Up to 25% off select Dell PCs & Electronics.

TECHNOLOGY TRIVIA

The Federal Communications Commission has ordered that all new TVs 13 inches and larger be built with digital tuners by July 2007. What's the average cost for a TV with a built-in digital tuner today?

- A. \$1,950
- B. \$1,450
- C. \$950
- D. \$450

[Test Your Knowledge -- More Questions](#)

Free E-mail Newsletters

- TechNews Daily Report**
[See a Sample](#) | [Sign Up Now](#)
- Personal Finance**
[See a Sample](#) | [Sign Up Now](#)
- Personal Tech**
[See a Sample](#) | [Sign Up Now](#)

broadcast high-quality movies or TV shows that can't be protected against copyright violators but said that wasn't the FCC's problem.

"It's going to have less content if it's not protected, but Congress didn't direct that you have to maximize content," Sentelle said. "You can't regulate washing machines. You can't rule the world."

Consumers groups, including library associations, have contested the FCC requirements, asserting that the rules will drive up prices of digital television devices and prevent consumers from recording programs in ways permitted under copyright laws.

The lawyer for the consumers groups, Pantelis Michalopoulos, argued that the broadcast flag could preclude libraries from copying television programs for educational or teaching purposes.

But Sentelle questioned whether the consumer and library groups can lawfully challenge the FCC decision, since the rules in question affect television viewers broadly. Appeals court procedures require groups to be able to show a particular injury before judges will consider a case; the FCC did not argue this point.

If the appeals panel decides that the consumers groups can't contest the FCC requirements, it would dismiss the case regardless of any concerns about the anti-piracy technology. A decision by the court could happen within months.

[Print This Article](#)

[E-Mail This Article](#)

© 2005 The Associated Press

Advertising Links

[What's this?](#)

Mortgage Rates Hit Record Lows

Get \$150,000 loan for \$690 per month. Refinance while rates are low.
www.lowermybills.com

MyCashNow - \$100 - \$1,000 Overnight

Payday Loan Cash goes in your account overnight. Very low fees. Fast decisions. Direct deposit is not required. No credit check. Confidential - secure.
www.mycashnow.com

LendingTree.com - Official Site

Lendingtree - Find a mortgage, refinance, home equity or auto loan now. Receive up to four loan offers within minutes. When banks compete, you win.
www.lendingtree.com

Advertisement

SEARCH:  News  Web

 powered by **YAHOO!** SEARCH

[Top 20 E-mailed Articles](#)

© Copyright 1996-2005 The Washington Post Company | [User Agreement and Privacy Policy](#) | [Rights and Permissions](#) | [Home](#)

washingtonpost.com: [Contact Us](#) | [About Us](#) | [Work at washingtonpost.com](#) | [Advertise](#) | [Media Center](#) | [Site Index](#) | [Site Map](#) | [Archives](#)
[E-mail Newsletters](#) | [RSS Feeds](#) | [Wireless Access](#) | [Our headlines on your site](#) | [Make Us Your Homepage](#) | [mywashingtonpost.com](#)
The Washington Post: [Subscribe](#) | [Subscriber Services](#) | [Advertise](#) | [Electronic Edition](#) | [Online Photo Store](#) | [The Washington Post Store](#)
The Washington Post Company: [Information](#) | [Other Post Co. Websites](#)