Cory Doctorow: Hollywood wants a stranglehold on your digital technology

By Cory Doctorow

Digital television is coming, which should be cause for celebration. High-definition digital TV will deliver fantastic picture and sound.

But because digital TV broadcasts will be, well, digital, this also gives the Hollywood executives who lost their fight to ban the VCR in 1982 another opportunity to seize control over technological innovation, by claiming that digital television signals will allow “pirates” to napsterize every blockbuster that is aired on broadcast television.

The Broadcast Protection Discussion Group is an inter-industry group composed of studios, broadcasters and technology companies. Its role is to establish a mandatory standard for every device and technology that can interact with digital TV signals. The standard includes a list of “approved technologies” for carrying and recording video streams. The studios at the broadcast protection group have made it clear that they will have the final say on what technologies end up on the permissible list.

They have steadfastly resisted every attempt to spell out objective criteria for inclusion on the list. Rather, they are insisting that the test for a technology’s legitimacy be some minimum number of studios, broadcasters or cable companies entering into agreements to use the technology.

This means that computer, software and consumer-electronics companies won’t be able to legally bring their products to market unless they successfully secure agreement from Hollywood.

The people who fought tooth and nail to keep VCRs off the market will have a veto over all new digital television devices, including digital television devices that interface with personal computers. The next generation of home entertainment systems will include only features that don’t inspire Hollywood’s dread of infringing uses, no matter what the consequences for you, the owner of the device. With today’s VCR, you can record an episode of “The Simpsons” and bring it over to a friend’s house to watch. This “feature” won’t be included on the digital VCRs and DVD recorders of tomorrow until and unless Hollywood executives decide you deserve it -- until they decide that the technical means of allowing neighbor-to-neighbor sharing of video won’t open the gate to the Internet piracy bogeyman.

Even if a feature makes it into your device, there’s no guarantee that you’ll be able to keep it. Many copy-prevention technologies have self-destruct switches that can be activated remotely, so that when a technology is hacked, a copyright holder can send a broadcast message out that will shut it down.

The current Broadcast Protection Discussion Group draft requires that any vendor incorporating a “revocable” technology must leave the revocability option switched on. Your home-entertainment center will be filled with ticking bombs, ready to be remotely triggered at Hollywood’s unilateral say-so.

This is a topsy-turvy world, where the historical opponents of innovation call all the shots, where a $35 billion entertainment industry sacrifices the $600 billion technology industry on copyright’s altar. The broadcast group’s standards will be finalized on May 17. The group is confident that the FCC will adopt its standards as law.

While the geeks and civil libertarians have been rallying to defeat Sen. Ernest Hollings’ far-reaching Consumer Broadband and Digital Television Promotion Act, the broadcast group has quietly created a near-equivalent regime that is days away from becoming a reality. Time is short. The public must rise up to protest this back-door bid by the most change-resistant industry in America to control all new video technology.

The Broadcast Protection Discussion Group is quite secretive about its activities, but the Electronic Frontier Foundation is thoroughly
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documenting its undertakings in a frequently updated weblog called “Consensus at Lawyerpoint,” at http://bpdg.blogs.eff.org. Tell your friends. Tell the companies you buy technology from. Tell your legislators.

If you don’t, the digital video technologies you’ll be allowed to own will be only those that have been approved by the same film studios that called the VCR the “Boston Strangler” of the film industry.

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