



**Via: Courier/ Email**

August 5, 2014

To:

Mr. Agneshwar Sen

Advisor (B & CS)

Telecom Regulatory Authority of India

Mahanagar Doorsanchar Bhawan

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**Re: MPDA views on the TRAI Consultation Paper on Regulatory Framework for Platform Services dated June 23, 2014**

Dear Sir,

The Motion Picture Dist. Association (India) Pvt. Ltd. (herein after the 'MPDA') at 215 Atrium, A Wing, 206, Chakala, Andheri- Kurla Road, Andheri (East), Mumbai 400059, Maharashtra, appreciates this opportunity to comment on the Telecom Regulatory Authority of India (TRAI) consultation paper entitled *Regulatory Framework for Platform Services* dated 23<sup>rd</sup> June, 2014.

MPDA (India) represents the interests of six international producers and distributors of filmed entertainment: Paramount Pictures Corporation; Sony Pictures Entertainment Inc.; Twentieth Century Fox International Corporation; Universal City Studios LLC; Walt Disney Studios Motion Pictures; and Warner Bros. Picture International.

While the MPDA notes that the consultation paper published by TRAI is intended to ensure that *Platform Services* as defined in the consultation paper are henceforth regulated and remain in conformity with the extant regulations including the programme code etc., we also note that the consultation paper does not take into account pertinent content protection issues which may arise as a result of digitization and automation of platform services. We submit that the consultation paper and comments submitted thereto should take into account the growing need for



technological protection measures to protect copyright as *platform services* continue to operate in the non-DAS and DAS cable areas.

The regulatory framework assessed by the TRAI and applicable to *platform services* must include provisions barring the circumvention of *Technological Protection Measures* (TPMs) or *Technical Measures* aimed at preventing infringement of digital / electronic copies of copyrighted works. We understand that the Copyright Act was amended in 2012 with some positive features, however the amendments fell short in terms of inadequate protection for access control technological protection measures and against trafficking in circumvention technologies, devices and services. In a digital age, Rights Management Information (RMI) in addition to TPMs become relevant.

While we note that the compliance mechanisms proposed for platform services would also include adherence to Copyright law in general terms, it is very critical that any regulation governing platform services as may be notified by TRAI also include adequate TPM and RMI provisions. We note that as a whole this aspect has not been addressed in the consultation and would therefore request TRAI to closely examine the inclusion of this aspect in its recommendations and industry consultations, if any.

We thank you for your ongoing co-operation and support to industry issues and remain available and interested for further participation in TRAI's continued consideration of these and other important issues.

With Kind regards,

Uday Singh  
Managing Director  
Motion Picture Dist. Association, India