

# Broadcast Anti-piracy Flag Issue Still Alive

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Hollywood plans to turn to Congress in its bid to add anti-piracy technology to digital TVs after an appeals court Friday struck down controversial new Federal Communications Commission rules.

The U.S. Court of Appeals in Washington, D.C., said the FCC exceeded its authority in 2003 when it required new technology in electronics products to prevent digital broadcasts from being blasted over the Internet.

While the FCC's power over the broadcast industry can extend to TVs and related products, the court said, the agency can regulate only how the devices receive a program, not what they do with it later.

"In the seven decades of its existence, the FCC has never before asserted such sweeping authority," the three-judge panel ruled.

The decision disrupts plans by electronics makers to add anti-piracy technology to digital TVs sold after July 1.

Public-interest advocates, who challenged the FCC rules as an undue restraint on consumers, hailed the decision.

"The court clearly said the (law) does not give the FCC the power to dictate the design of devices," says Gigi Sohn, director of Public Knowledge.

But Hollywood studios say the ruling, if upheld, would discourage them from producing first-rate shows for over-the-air TV.

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