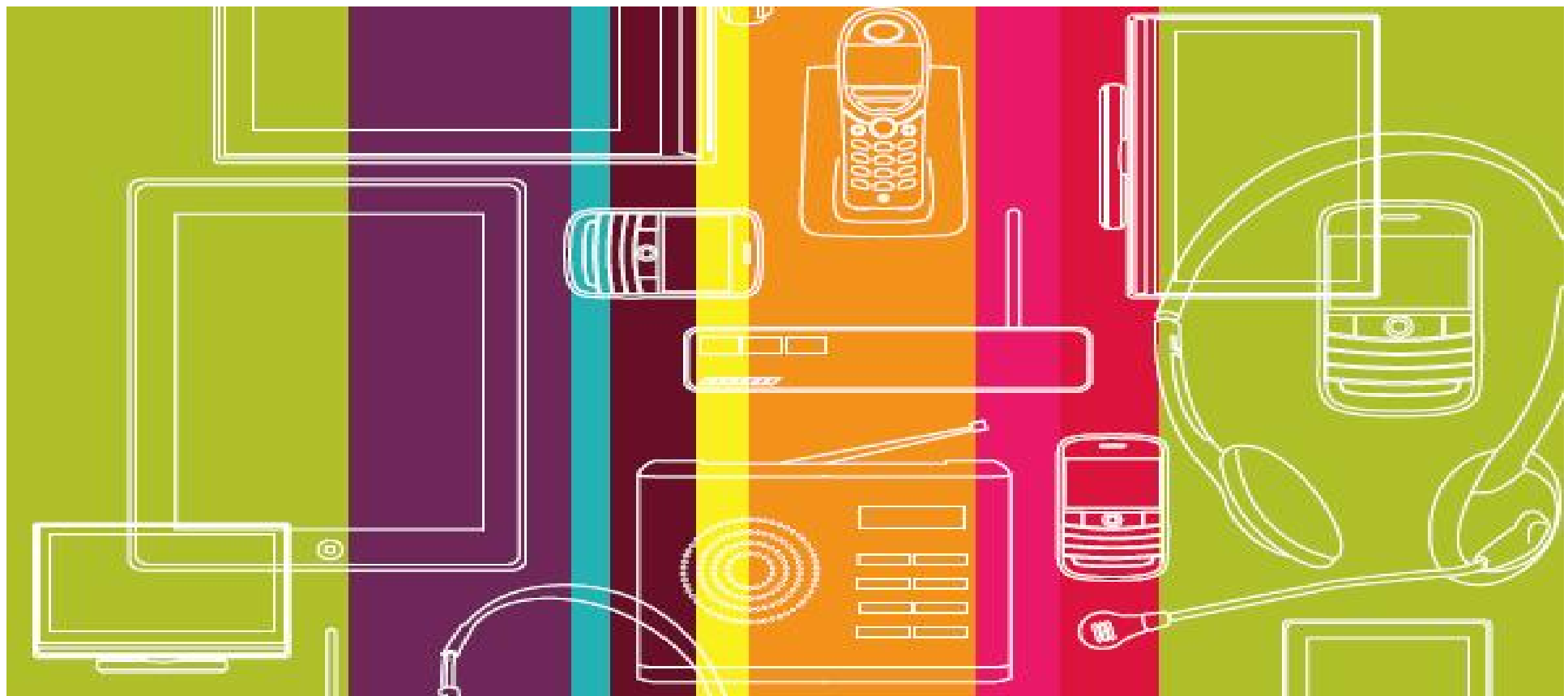


Jurisdiction Challenges in a VOD Environment

David Mahoney, Director of Content Policy, Ofcom

EPRA Plenary Session 1, Brussels, 6 October 2011



The future challenges we face

Today I will focus on:

- Questions around the future “technology jurisdiction”
- Questions around the future “consumer jurisdiction”

WARNING: THIS PRESENTATION CONTAINS MORE QUESTIONS THAN ANSWERS

The challenges of technology

IP-based services are becoming standard across virtually all consumer devices....



Fixed



TV and radio
IPTV , VOD, and
podcast services, plus
web services,
alongside broadcast



Games console
Online gaming plus
access to new content



Smartphones
Apps and location-
based services



Tablets, ereaders
Download and/or
access new apps &
media content



Laptop
Use cloud-based
storage and
software

Mobile



In-car
Traffic updates,
diagnostics and
entertainment



Watches
Sports watches
instantly register
performance stats



Camera
Instantly upload
photos to online
storage/sharing

The kitchen sink



Home lighting
Remotely
programmable
system



Kitchen
Display food/recipe
information



Security
Remote access to
alarm and CCTV
cameras

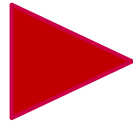
Connected TV sets blurring “platform” distinctions

Broadcast TV



Web-streamed

Broadcast channel



Online service (Twitter)



VOD service



The emergence of a backward facing EPG in the UK blurs the “push” and “pull” distinction

Linear TV

VOD



And the open Internet is already on TV's

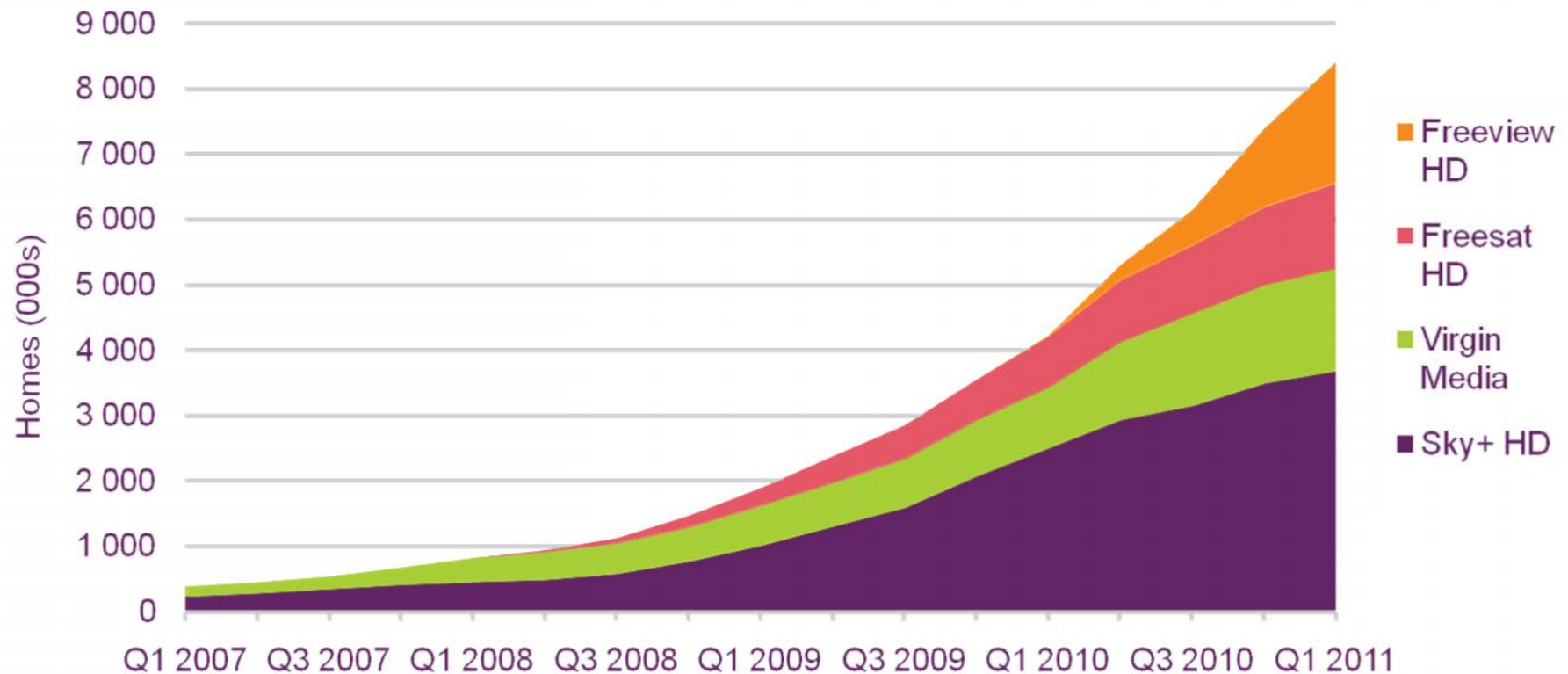
Linear TV

Open internet

VoD



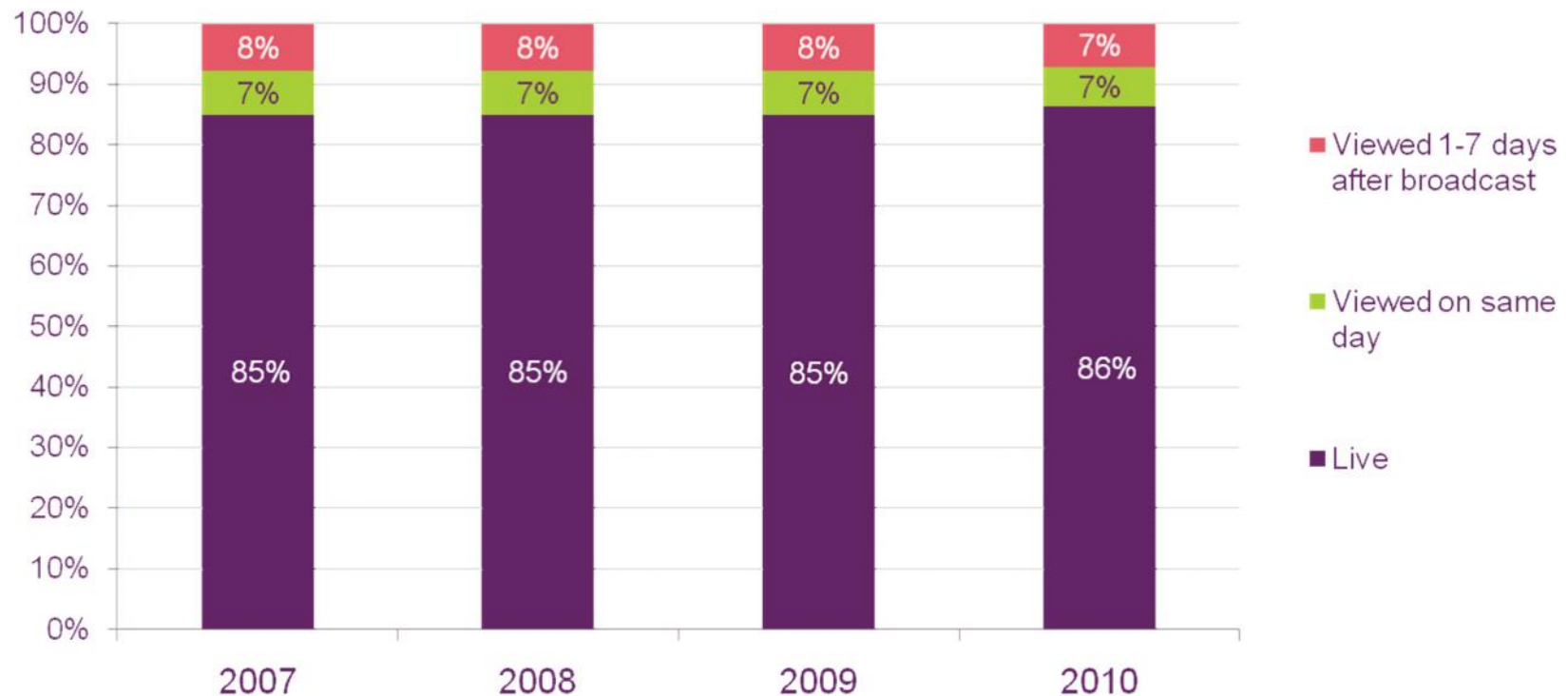
But linear broadcasting is proving very robust



Source:BSkyB/Virgin Media/GfK Note: Figures represent latest available data. Freesat HD and Freeview HD figures based on HD device sales, therefore the cumulative number of HD homes is indicative only and should be regarded as an upper boundary figure.

And most viewing is still live.....

Proportion of viewing (%)



Source: BARB. All individuals with DVRs.

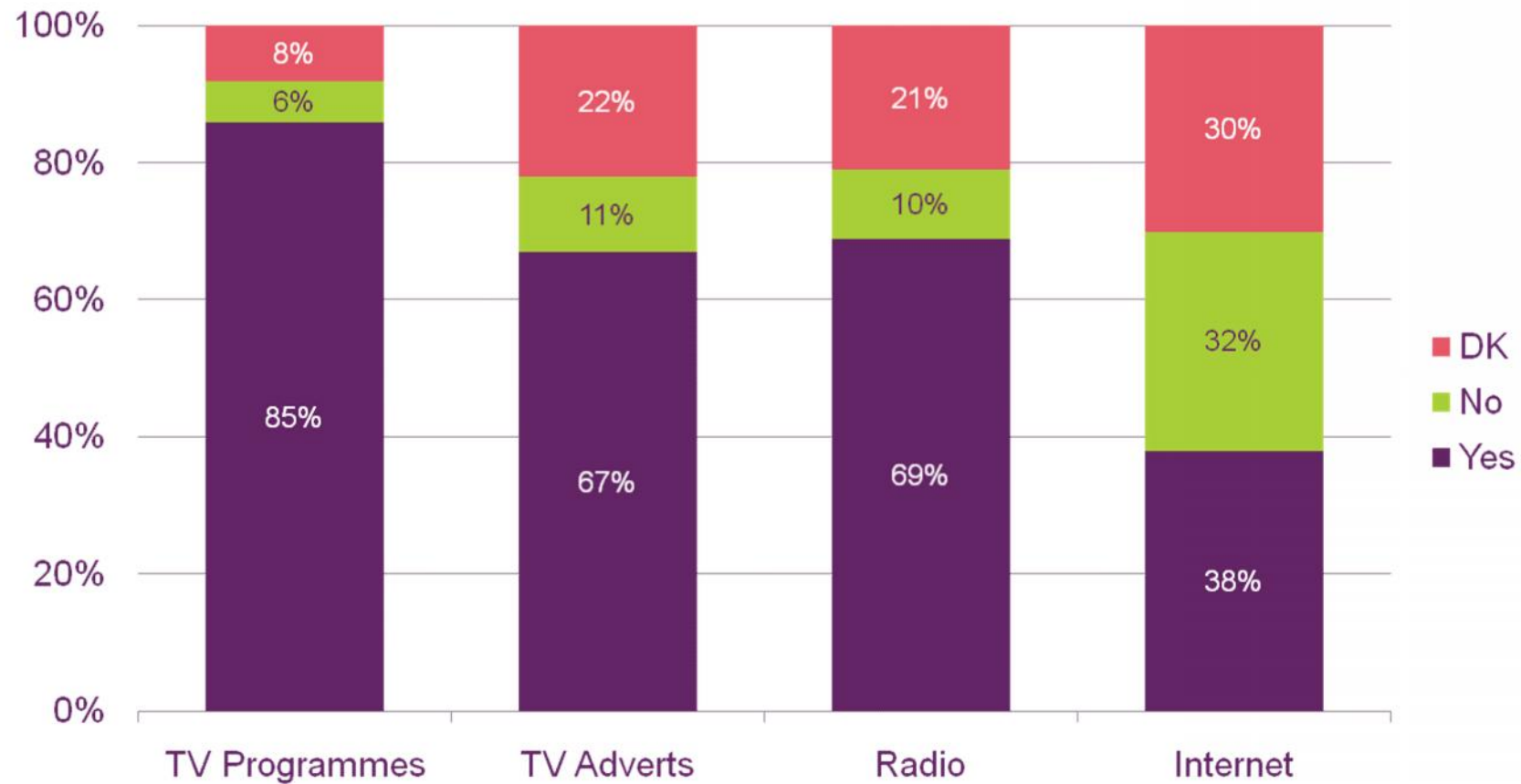
Note: New BARB panel introduced 1 Jan 2010. As a result pre- and post-panel change data must be treated with caution

Technology: in summary.....

- The speed of change is quickening
- Many new consumer products may seek to give a more seamless experience between VOD and linear
- commercial blurring of regulatory boundaries will be in the consumer interest
- But TV as we know it will be with us for a long time to come

The consumer challenge

There are signs that consumers are beginning to get confused about regulation....



Source: Ofcom Media tracker 2010. Base: All respondents

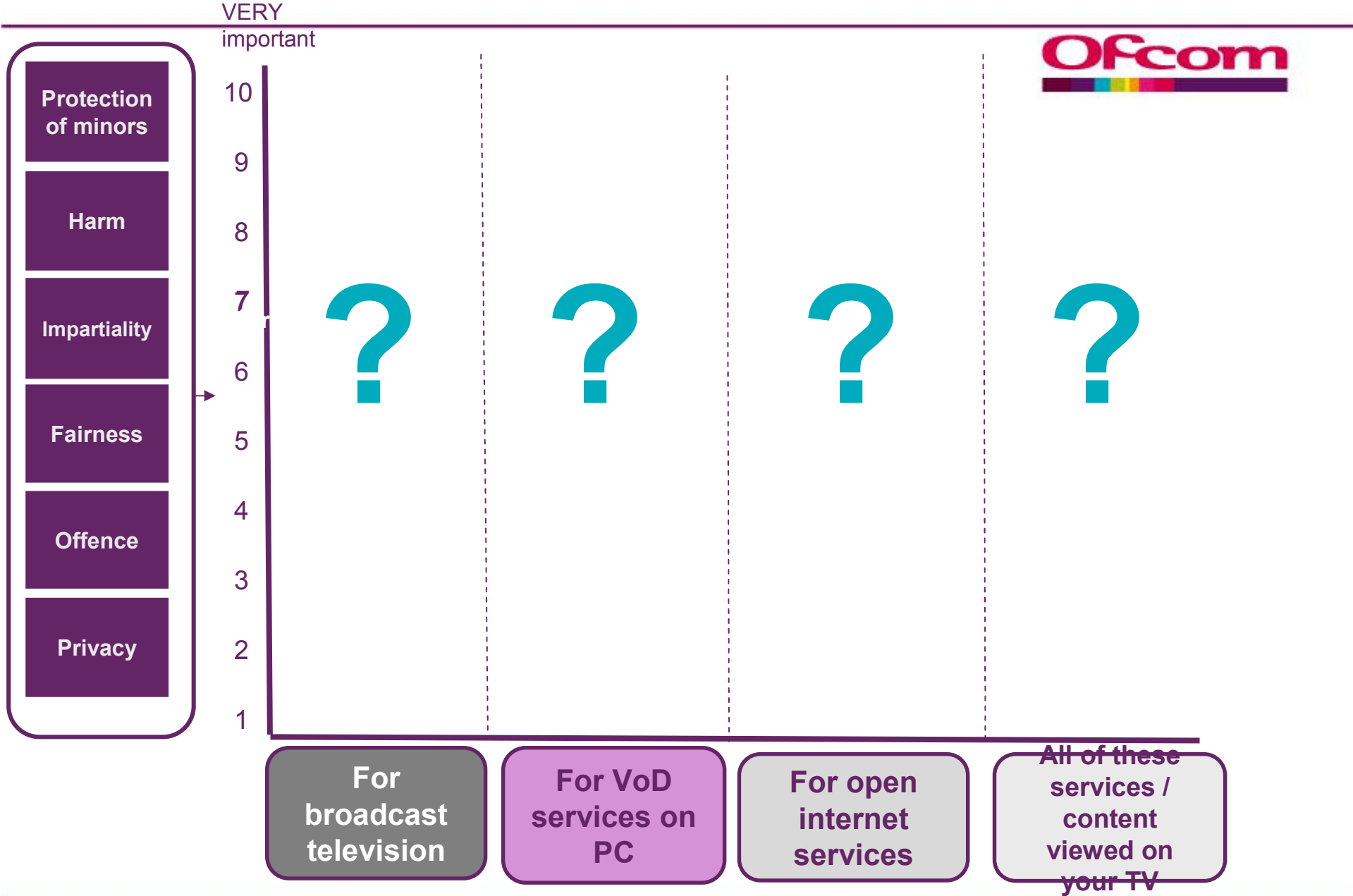
Ofcom is conducting new research into consumer views

Identify views existing content regulation

Establish priorities around the 6 existing areas of UK regulation:
harm, offence, protection of minors, impartiality,
fairness and privacy

Identify priorities for future regulation in light of the new services that are becoming available

Consumers are asked to rank areas on different services



Some concluding thoughts.....

- Recognise new complex environment
- Keep focusing on consumer expectations
- Convergence will continue to blur regulatory boundaries
- Keep in mind three key questions:
 - what are our priorities for regulation?
 - where do we want to see those priorities applied?
 - how can we achieve those goals in the future?