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For Immediate Release

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DVB supports European Commission antipiracy proposal, but with changes

Geneva, 8 December 1997. The DVB Project has welcomed the proposal of the European Commission for a Directive on the legal protection of services based on, or consisting of, conditional access. The proposed Directive would require the 15 Member States of the European Union to adopt legislation prohibiting the commercialisation of pirate decoding devices which would give unauthorised access to scrambled television, radio and on-line services.

But the DVB Project has indicated that the proposal falls short of effective enforcement because it fails to criminalize personal use and possession of pirate decoding devices. The proposal also does not make explicit the severity of the punishment and the level of damages needed to stop piracy.

Mr Theo Peek, Chairman of the Steering Board of the DVB Project, said:

“The DVB Project has found that the Commission’s proposal is a good starting point, but the proposal has critical gaps. If the Directive doesn’t ban personal use and possession of pirate decoding devices and doesn’t set stiff penalties for commercial piracy, it may well be virtually unenforceable.

“The DVB Project has adopted a Common Scrambling Algorithm which is included in every DVB decoder in Europe. Our algorithm is very strong but it’s foolish to think that it is in itself a sufficient protection against hackers. Piracy today already causes 200 million ecus (about \$220 million) annually in lost revenues. For this reason, we need a strong European measure against piracy caused by illegal decoding devices. It should ban personal use and possession and have tough sanctions. Our DVB members will be carrying these views to the European Parliament and to the other EU institutions.”

The DVB Project reviewed the proposed Directive at the meeting of its Steering Board held today. In 1995, the DVB Project issued its Recommendations on Antipiracy Legislation for Digital Video Broadcasting, on which the European Commission extensively relied when preparing its proposal. In its Recommendations, the DVB Project concluded that sanctions should be set at a level appropriate for felonies (incarceration for commercial piracy) and that service providers should be able to recover against pirates at a statutory tariff for each decoding device. For further information, please contact the **DVB Project Office** in Geneva.

Background

The Digital Video Broadcasting Project (DVB) is a consortium of over 200 broadcasters, manufacturers and regulatory bodies in more than 30 countries worldwide, committed to designing a global standard for the delivery of digital television. Numerous broadcast services using DVB standards are now in operation, in Europe, North and South America, Africa, Asia and Australasia.