

delegation of India demurring and stating that it needed more time to consider its position. A review of definitions revealed no significant divergence of views. Given the apparent emerging consensus, the committee requested the Chair prepare a consolidated text for the next meeting. Moving to text-based deliberations represents progress and is a critical step towards preparing a draft treaty proposal suitable for final negotiations at a DipCon.

The timing of a DipCon was also discussed. Many delegations proposed a 2016 date, but the U.S. preferred a timeframe of "the next biennium." The final draft recommendation proposed a 2017 DipCon, to be confirmed by the 2016 General Assembly. This recommendation was presented in a package with two recommendations on the limitations and exceptions. While there was minimal opposition to the recommendation on broadcasting, dissatisfaction with the latter blocked adoption of any recommendations. So yet again, progress on the Broadcaster Treaty was precluded by linkage to the much more controversial matters of exceptions and limitations.

The problem of linkages between issues has plagued WIPO at the SCCR and other

committees for years. The failure to conclude a treaty on broadcasting after years of deliberations is one of the more embarrassing illustrations of the problem. Despite broad support, progress is blocked by a few countries holding it hostage to demands on the limitations and exceptions that are totally unacceptable to the key delegations, including the E.U. and the U.S.

The pervasive problem of stalemated committees has led some delegates to the conclusion that a structural reform of the committee process is needed. Several ideas are being discussed and the U.S. even suggested returning to the pre-1998 system of single issue, ad-hoc Committees of Experts. These committees are recalled as having provided for more focused expert work on substance with less direct political and procedural wrangling. While politics is an inevitable part of WIPO, the view is that it should be contained to the highest level of decision making at the General Assembly, and should not impede the specialized legal and policy work expected at the committee level.

IP matters are among the most controversial of international issues as evidenced by

difficult proceedings at other fora such as the WTO (World Trade Organization) and trade negotiations like the TPP (Trans-Pacific Partnership). Hence, it is not surprising that norm-setting at WIPO is difficult. WIPO, however, was created as the UN organization mandated to protect intellectual property and it should be mindful of this mandate in embarking on new norm-setting projects. The proposed Broadcaster Treaty is merely an update of the last unrevised sections of the 1961 Rome Convention to the current digital environment and is consistent with the mandate. In contrast, proposals for binding agreements on limitations and exceptions represent a complete overhaul and remaking of the longstanding and accepted framework for IP law. Linking these matters and expecting lock step progress to the same goal of legally binding treaties is illogical and doomed to failure. The link must be broken.

So what is next for the Broadcaster Treaty? Broadcasters are hoping that the General Assembly will move to accelerate the pace of progress by setting a roadmap and timetable for the final work and a Diplomatic Conference. The General Assembly meetings take place October 5-14 in Geneva. ■

Director-General's Report

Michael McEwen, NABA



It's summertime and you'd think that things would slow down a bit, but it certainly doesn't seem that way from my viewpoint.

Three major projects have been dominating our summer schedule.

1.) The NABA/DPP Working Group is charged with developing a common File Format Standard beginning with defining their technical specifications. They have been meeting every week with lots of homework for those involved. This is a partnership that suits all our interests very well – if we can successfully conclude our work, it will ease our member companies' workflows enormously. Clyde Smith will provide an update on this ef-

fort in the October-November *NABAcaster*. When he does you will appreciate what a major impact this work may have on how we both ingest and distribute content in the future.

2.) ABC/Disney's Michael Chiarulli is now Chair of a group focused on programming a day-long seminar on all the aspects of OTT services. Everything from regulatory/rights issues, to business challenges, to the technology itself, and the associated workflows. Most of our network members are already doing OTT and the technology is maturing quickly, but how we make it into a profitable business remains to be seen. There are lots of challenges to OTT, but lots of promise too. Michael and his group will send a proposal to the Technical Committee for their September 3rd meeting and from there it will go to the Board of Directors on October 1st. Assuming approval, the Seminar would take place in early December in NYC. Stay tuned to *NABA-*

caster for updates on this project.

3.) The final effort has been on spectrum and preparations for the August meeting of CITELE in Ottawa (August 17th to 21st) and the World Radio Conference (WRC-15) in Geneva this November. The primary issue is the pressure on UHF broadcast spectrum and satellite C-Band spectrum by the mobile industry. From the broadcaster perspective the issue is how we can preserve over-the-air services, particularly the Next Generation of Television, if the mobile industry is given even part of the broadcast band. The mobile industry continues to argue that it needs access to this spectrum to meet the growing consumer demand for mobile services.

Winston Caldwell from FOX Networks (who has been leading the NABA efforts) along with many of his NABA colleagues has been joined by our two newest members, Pearl TV and Sinclair Broadcast Group, to take an active role at CITELE.

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A lot of good work has been done including scientific studies and attempts to find mutual accommodation for both industries. The bottom line for most of our members is that there needs to be enough interference-free spectrum for existing services and to make the transition to the Next Generation Television utilizing the ATSC 3.0 platform. The coming four months will see the culmination of more than three years worth of work and a lot of time and treasure spent. Again, stay tuned to *NABAcaster* for the latest information.

In addition to the above, NABA has participated in recent WBU events including a meeting of the WBU-TC chaired by NABA's Bob Plummer (FOX Networks) in Krakow, Poland. Bob and his colleagues from the other broadcast unions again discussed spectrum and WRC-15. It truly is a global issue for broadcasters. The WBU-TC agenda featured an opportunity for each of the unions to share their priority items, and it was remarkable how much in common was found around the table beyond spectrum, including: training, file formats, digital radio and smart chip technology, next-generation television, frame rates, closed captioning, intentional interference to satellite services, and funding of participation from unions without the resources to do so themselves. This Committee is in the process of renewal and a good start was made at their mid-June meeting.

The Director and Secretary Generals of

the WBU met in Prague a few weeks later. The agenda included a review of the WBU-TC work on spectrum and coordination for our presence at WRC-15 in November.

The meeting also focused on deliberations at the World Intellectual Property Organization (WIPO) on the Broadcaster Treaty. Readers of *NABAcaster* will recall the occasional rant by this author, and others, on the length of time it is taking to move from discussions to the point where a Diplomatic Conference on a new treaty may be scheduled (including Erica Redler's cover piece in this very issue). Our hope is that at this year's WIPO General Assembly (Oct. 5-14), such an event will be scheduled for 2016/17. This has been more than 15 years in the making and while no one wishes for a treaty that is flawed by limitations and exceptions (rendering the protections given to broadcaster's signals ineffective) it is equally important to conclude this work.

Other topics on the agenda focused on Committee Reports including the new name for the long standing International Satellite Operations Group (ISOG) now called the International Media Connectivity Group (IMCG) and their new logo (which appears on Page 5 of this *NABAcaster*). By focusing their work on a connected world, this body is sure to deliver relevant and timely work for broadcasters and carriers alike. We have come a long way from the days when international

program exchange was only done by satellite; today it is satellite, fibre, mobile phone, the internet and everything in between, where the common thread is media and connectivity.

The meeting went on to consider a proposal by the Asia-Pacific Broadcast Union (ABU) to host a WBU Conference October 26th, 2016 in Jakarta, Indonesia. The ABU proposal was accepted and the ABU Secretary General - Dr. Javad Motaghi - will be the Conference Chair. Sessions will feature the Next Generation of Television, Digital Radio, and OTT. It will also focus on issues from emerging nations. The complex and difficult task of pulling the sessions and panelists together begins in September of this year.

Finally the long time Director-General of the African Union of Broadcasters announced his retirement. In the ten years he has held the job Lawrence Atiase has brought financial stability to that union and broadened the benefits of membership including training and spectrum management. He leaves a fine legacy, a strong association of broadcasters and a stable platform for future growth. Well done Sir!

So all to say, summer is here but some of us who escaped to the sunny south this past winter have our noses to the grindstone this season. For those taking some holidays, enjoy and we'll see you all in September as NABA Committees gear up for fall meetings and project work. ■

How CID Works for Broadcasters

Martin Coleman, Satellite Interference Reduction Group (IRG)

Satellite interference has been a hot topic in the industry over recent years. Although only a small number of services are actually affected, the satellite operators have been working together, along with equipment manufacturers and service providers, to reduce instances of satellite interference, as well as improve the resolution of interference when it occurs.

The result of all that activity is that we now have a number of technology, tools, and processes in place to help at every

part of the chain and it is now up to the broadcasters, and other users, to implement them and ensure they are benefiting from that effort.

CID – The Basics

For anyone who doesn't already know, Carrier ID (CID) is essentially an embedded code containing contact information, which enables the satellite operator to quickly and efficiently identify the source of the interference, therefore reducing the effect for the correct carrier.

The concept of Carrier Identification (CID) is nothing new, just ask the FCC – they've required an Automatic Transmitter Identification System (ATIS) for decades. A few years ago, thanks to an industry push ahead of the 2012 Olympics, we witnessed a sizeable rise in the proportion of carriers using CID, and a greater awareness of the technology and how it can help drastically reduce satellite interference.

The DVB standard, based on an original development by Comtech EF Data, and following a great deal of input from other manufacturers, including Newtec, adds a

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