

Draft Minutes
Advanced Television Systems Committee, Inc.
Board of Director's Meeting
National Association of Broadcasters
1771 N Street NW
Washington, DC

January 19, 2005

1. Call to Order; Determination of Quorum; Approval of Agenda

Chairman Bob Rast (Micronas) called the meeting to order at 10:05 AM. The Attendance List is **Attachment 1**. A quorum was determined. The agenda (**Attachment 2**) was approved.

2. Opening Comments

Mr. Rast introduced newly elected board members, Michael Mc Ewen (CDTV), Ed Barrett (Sony), Brian Smith (Phillips) and Wayne Luplow (Zenith). Mr. Rast thanked the board and stated his intent to do his utmost for ATSC.

3. Consideration of Dec 8 Draft Minutes

The board considered the draft Minutes of the board meeting on December 8, 2004. Ralph Justus (CEA) proposed changes to Item 5 Paragraph 2. The Board agreed to these changes and the minutes as adopted are attached (**Attachment 3**).

4. Report of the President

a. Membership Report

Mr. Richer gave the membership report (**Attachment 4**). Mr. Richer stated TTE has submitted a membership application.

b. Status of Letter Ballots

Mr. Richer reported on the status of ballots (**Attachment 5**) showing the approval of the 2005 ATSC Budget and the T3 elevation of Digital Audio Compression to Proposed Standard.

c. Financial Report

Mr. Richer gave the financial report (**Attachment 6**). He said that ATSC had a good financial year in spite of the extraordinary legal costs associated with the CEA allegations regarding the E-VSB ballot. He reported 2005 membership dues received, so far, total \$311,000.

d. Other

Mr. Richer reported upcoming events include the PSIP seminar at the HPA Technology Retreat on January 25, and technology demos at the NAB convention in April. He reported that CEA has indicated that they are not interested in doing the Draft House again, so ATSC and NAB will host a technology demonstration area. ATSC will be seeking sponsorships to offset the costs. Mr. Richer said he and Robert Graves will give a briefing to a high-level delegation from South Korea on Monday,

January 24, that includes five Korean congress people and five Korean broadcasters. He mentioned ATSC is testing a new phone bridge service – and that, so far, comments have been positive. Bill Miller (ABC), via teleconference, commented S6 was “thrilled” with the service on a recent conference call.

5. Appointment of Officers

Mr. Richer stated the names of the current officers for reappointment: Mark Richer, ATSC President; Jerry Whitaker, ATSC Vice President of Standards Development; Lisa Hester, Secretary; and Lynn Claudy, Treasurer. Peter Symes made a motion that the current officers be reappointed for another year. Seconded by Tom Hankinson and the board approved the appointment.

6. Appointment Of Vice Chairs

Mr. Rast recommended a second vice chair be appointed to the board and asked the board for comments. Michael McEwen nominated Brian Smith (Phillips) and Lynn Claudy (NAB) as Vice Chairmen of the ATSC Board. Wayne Luplow seconded and the board approved.

7. Tri-Vision Patent Statement

Peter Symes made a motion to approve the patent statement (**Attachment 7**). The Board discussed the wording – to “accept” or to “approve”. Mr. Richer said that the ATSC Patent Policy uses the word “review”. Peter Symes withdrew his motion to approve the statement. Brian Smith (Phillips) said the board should determine if the statement is consistent with the current ATSC patent policy. Ed Barrett, Sony said that he thought that approval of Patent Statements should be a staff function, not the Board. Mr. Richer stated the policy specifies that the board has the responsibility to review patent statements. Glenn Reitmeier, NBC, said that he was concerned that the letter did not provide the specificity required in section 4d of the Patent Policy. The board requested that Mr. Richer provide the letter to ATSC counsel for review and report back to the Board at the next meeting. Mr. Richer also agreed to discuss the issue of the board role in the review of patent statements with the ATSC attorney.

8. T3

a. T3 Report

Ralph Justus stated that there had been no significant developments since the December 8, 2004 meeting.

b. T3 Chair

The Board went into Executive Session at 10:55 AM. Mr. Rast asked the board for confirmation of Bill Miller, ABC, as T3 Chair. The board confirmed the appointment of Bill Miller as T3 Chair. The Executive Session adjourned at 12:02 pm.

9. Applications Subcommittee

Sterling Davis (Cox) gave the report on the Application Subcommittee (**Attachment 8**). Mr. Davis presented the idea of a DTV summit that came out of the AS “roadmap” discussions. The goal of the summit would be to develop a common vision between broadcasters and CE manufacturers about the future of terrestrial broadcasting.

10. Implementation Subcommittee

a. Consideration of development of compliance standard

Reporting on his action item from the last board meeting, Art Allison (NAB) stated there was a draft recommendation concerning development of a compliance standard, but the document needs to be refined before submission to the Board. He plans to provide a proposal for consideration at the board meeting on March 14, 2005.

b. Dissolution of IS

Michael Mc Ewen made a motion to dissolve the Implementation Subcommittee and thanked Mr. Allison and the individuals in the IS group for their work. The motion was seconded by Wayne Luplow and the board approved the dissolution of IS. The board agreed that any on-going IS work will be carried out by T3 or AS.

11. ATSC Forum

Mr. Luplow reported there was no significant news to report.

12. Future Board Meetings

The board agreed to add a March 14 board meeting to the 2005 schedule. The meeting will focus on due process issues.

13. Status of EVSB Allegations

ATSC counsel, William Blumenthal (King and Spalding) discussed the status of the CEA allegations regarding the E-VSB ballot. He reported that ATSC had received no response to the letter sent by Phil Livingston to CEA. Ralph Justus (CEA) stated that CEA intended to take no further legal action on these issues at this time, and he urged the Board and ATSC to move ahead with the process of procedural modifications that they deem appropriate.

14. Due Process

a. Background

ATSC Counsel, Mr. Blumenthal, said that the current ATSC process was developed in 1982. He pointed out that there were many lawyers involved with an emphasis on antitrust issues. He stated the current environment may provide ATSC with more flexibility compared to when the process was first defined.

b. Ad Hoc Committee

Mr. Richer gave a presentation on the work of the Due Process Ad Hoc Group (**Attachment 9**). Mr. Richer reported on the recommendations of the ad hoc group regarding the project approval process, raising the Technology Group threshold for elevation of documents to Proposed Standard and Proposed Recommended Practice to 2/3 majority, and providing a mechanism to act on substantive comments received during the membership ballot process.

Michael McEwen, CDTV suggested that consideration be given to providing the Board with final authority regarding approval of Standards. Mr. Rast requested that board members put their comments and concerns on paper for discussion at the March board meeting. Papers submitted two weeks prior to the board

meeting will be added as discussion items to the agenda. It was further agreed that Mr. Blumenthal would have access to the documents beforehand so he can comment at the board meeting during the discussion. Mr. McEwen agreed to draft a paper on Board approval of standards. Tom Hankinson made a motion to accept the recommendations of the Ad Hoc group, and for the ATSC president to draft the revisions to the ATSC By-Laws for review at the board meeting in March. The motion was seconded by Peter Symes and the board approved the motion.

c. Incorporating summary of changes with ballot

Tom Hankinson discussed the email (**Attachment 10**) he sent to Mr. Rast regarding standards being balloted with changes or amendments. He suggested a cover document be included that explains, in detail, what sections of the standards are being changed or supplemented, what other standards it may impact and the rationale behind the changes. Mr. Richer said that the Ad Hoc Group on Due Process supported the idea as long as a disclaimer urging the reader to review the document itself is included with the summary. Mike McEwen made a motion for Mr. Richer to work with Bill Miller to draft changes to the procedure document. The motion was seconded by Glenn Reitmeier and approved by the board.

d. ANSI Accreditation

Mr. Barrett proposed that ATSC obtain ANSI accreditation. Mr. Richer suggested that Mr. Barrett write a document for presentation on how ANSI accreditation would be beneficial to ATSC for presentation at the March 14 board meeting. Mr. Blumenthal suggested that Mr. Barrett also speak to CEA on why they sought ANSI accreditation and to NCTA on why they did not; and cost vs. benefits. Mr. Barrett agreed to do a presentation at the March 14 board meeting.

15. Goals Committee

a. 2004 Assessment

Mr. Rast presented the summary and assessment of 2004 (**Attachment 11**) and stated, overall ATSC is doing well, he cited the T3 accomplishments, noted AS participation is increasing and reiterated the dissolution of IS. He further noted the goal of board balance was achieved and a due process review is underway. The board requested that the president provide the legal costs to ATSC associated with the CEA allegations regarding E-VSB.

b. 2005 Goals

Mr. Rast presented the 2005 goals (**Attachment 12**). He focused on the strategic plan for ATSC, optimizing board effectiveness, name changes for T3 and AS, promoting the use of ACAP, increasing membership and international participation. Joe Flaherty (CBS) suggested a word change to Slide 6, bullet 4 – replace “involvement” with “membership; and to add “ATSC” before the word “membership” on Slide 8, Bullet 3. Tom Hankinson made a motion to approve the 2005 ATSC Goals with the suggested changes. The motion was seconded by Wayne Luplow and approved by the board.

c. Mission Statement

Mr. Rast presented two versions of the mission statement (**Attachment 13**). The board preferred the shorter version. Mr. Rast asked board members to email him their ideas for consideration before the March 14 board meeting, at which time the board would try to finalize the mission statement.

16. Membership Committee

Glenn Reitmeier (NBC) gave the membership report (**Attachment 14**). He outlined his efforts at CES to make contacts and urged board members to contact individuals on behalf of ATSC, and further solicited board member participation on the committee. Will Beals (Echo Star/Guest) offered to contact nVidia and AMD. Tom Hankinson volunteered to participate in the membership Committee.

17. Annual Meeting

Mr. Richer announced the venue for the annual meeting and associated meetings (**Attachment 15**). He reported that he was planning a dinner for board members the evening of May 10. He stated the morning program would be similar to the 2004 agenda, but the afternoon would be a different. He discussed ideas for keynote speakers and asked the board for input.

18. Other Business

Ralph. Justus (CEA) expressed concern about an earlier statement made by Mr. Richer that Mr. Blumenthal may brief new board members on his findings regarding the allegations about the E-VSB ballot. He said that if these briefings take place he would like to be present. Richer said that the offer to brief new board members was made before CEA indicated that they do not plan to take further action. He said the goal was to bring the new directors up to speed on the issue. Mr. Richer went on to say that if CEA was dropping the matter, the briefing may no longer be necessary. He said if board members do not specifically ask for a briefing, that he will not make arrangements. Mr. Blumenthal said that if there is a briefing, Mr. Justus and other board members are welcome to attend.

19. Adjournment

The meeting was adjourned at 3:29 PM.