

AACS LA, LLC

Evaluation of Proposed Digital Outputs and Secure Recording Technologies

1. Process and Procedure

AACS LA LLC welcomes the addition of technologies for use with AACS protected content. Any party desiring to obtain approval of digital output or secure recording technologies under the AACS LA LLC Compliance Rules may do so by submitting an application containing detailed information, sufficient to allow AACS LA, LLC to evaluate all aspects of the technology and its associated license terms to determine suitability for receiving and maintaining the security of Digital Commercial Entertainment Content protected using the AACS Technology. Technology proponents are advised that the review process is intended to be objective and will be based on the criteria set forth in Section 2 below, but must also understand that the review of proposed technologies and their associated legal and enforcement mechanisms is a complex multi-disciplinary exercise that requires AACS LA LLC to exercise judgment in many instances and that no single criterion can be determinative.

To enable consideration an applicant must provide at least the minimum information set forth in Section 3 below. Applicants are invited to provide any additional relevant information which the applicant believes may assist the AACS LA, LLC in evaluating the technology or its license terms. AACS LA, LLC will consider, on a case by case basis, where appropriate reasonable requests for non-disclosure of certain information submitted in support of an application (e.g. 3d party security review, information concerning volume of licensing, etc).

All capitalized terms used herein have the same meaning as set forth in AACS Approved Licenses.

2. Evaluation Criteria

AACS LA, LLC will evaluate all submissions in a reasonable, objective and non-discriminatory manner. Decisions will be based on an assessment of the degree to which the proposed technology offering as a whole, including both technical and licensing aspects, will robustly maintain the security of Commercial Entertainment Content protected by the AACS Technology after it is passed to the proposed technology, and will not compromise or interfere with the integrity and security of the AACS Technology.

AACS LA, in applying the foregoing criteria, will consider the extent to which:

- the technology will avoid impairing interoperability with respect to the exchange of AACS Content among Licensed Products

- the technology is licensed under agreements which implement requirements that provide a level of protection consistent with the requirements of the Compliance and Robustness Rules set forth in the most current version of the AACS Adopter Agreement, including with respect to maintaining the protection of AACS Content through authorized digital, analog and high definition analog outputs, and prohibiting unauthorized retransmission of AACS Content over wide area networks and the Internet;
- if the technology so permits, the license agreement provides for a right of revocation or for renewability in appropriate circumstances;
- legal recourse is potentially available in case of circumvention of the technology by persons other than licensees;
- effective remedies and enforcement means are available, potentially including legal recourse on the part of persons other than the licensor, for breaches of the license agreement and associated compliance and robustness requirements;
- the technology provides for detection and correct response to copy control information, as defined by the AACS Specification;
- where the technology is proposed for secure recording, the technology provides for a means of security for the making of permissible copies;
- where the technology is proposed for secure recording to recordable media, the technology provides that removable recorded media will maintain the required level of protection when played back on an implementation other than the implementation upon which the recording was made;
- where the technology supports outputs to other secure technologies, whether the process and criteria for becoming an approved output ensure protection against reductions in security for AACS Content or compromise of or interference with the process and criteria applied by AACS LA LLC for approving outputs to other secure technologies;
- there is an appropriate process to manage changes to the technology or its licensing terms so that they do not diminish the protections afforded to AACS Content, potentially including involvement of persons other than the licensor;
- the license provides, or the licensor commits, that future changes to the technology specification(s), or amendments to the license, including side letters or waivers, that would affect the license terms and conditions in

effect at the time of approval by AACCS LA, will not diminish the protections afforded to AACCS Content, as described above.

Applicants proposing their technologies for digital/view only output must, in addition, satisfy the following criteria:

- the technology must prohibit analog output of AACCS Content, and output to downstream digital outputs that in turn would allow analog output.

In addition to the foregoing criteria, AACCS LA LLC will also take into account any evidence that may be provided of commercial acceptance as follows, provided that commercial acceptance, standing alone, cannot serve as a substitute for substantial satisfaction of the criteria above:

- the extent to which there is commercial support for the output protection technology and licensing terms and conditions from AACCS Content Participants, Adopters;
- evidence of support for the technology and licensing terms and conditions from:
 - major motion picture companies, including members of the MPAA, in the case of technology used to protect audiovisual works;
 - major sound recording labels, including members of IFPI or the RIAA, in the case of technology used to protect only sound recordings;
 - manufacturers interested in implementing both the proposed technology and AACCS; and
 - approval as an output by other content protection licensing entities, providers, standards bodies or government agencies.

If a technology is approved for use with AACCS protected content, it will be added to the appropriate Sections of the Compliance Rules.

AACCS LA LLC reserves the right to rescind an approval in circumstances where there has been:

- (i) a significant compromise to the technology; or
- (ii) a change to the specification or license terms;

that would have a material and adverse effect on the ability of the technology to robustly maintain the security of Commercial Entertainment Content protected by the AACCS Technology after it is passed to the technology or would materially and adversely compromise or interfere with the integrity and security of the AACCS Technology. Such

decisions involving compromises to the technology will be made taking into account the technology provider's proposals for remedying the compromise and a fair balance between the interests of content owners, consumers and product manufacturers.

3. Elements of Submission

Applicants should specify whether they are proposing their technologies for digital output, secure recording, or both. Applicants should specify whether they are proposing their technology for digital/view only output. AACS LA, LLC requests the submission of the following information to the extent available to assist in the evaluation according to the criteria set forth in Section 2 above.

LICENSE INFORMATION

Applicants should submit all relevant licensing information, including, where available, an executable adopter licenses and copies of agreements applicable to other relevant parties such as content participants. The following essential license information should be provided:

- whether royalty and/or administrative fees would be applicable to AACS Content Participants and Adopters as a result of approval of the proposed technology where such AACS Content Participants and Adopters are not themselves implementing the technology;
- scope of use (e.g., whether the technology is licensed for use for the purpose the applicant is submitting it; whether the technology may be used with content other than Digital Entertainment Content in a manner that may pose a risk to AACS protected content);
- any additional rights relevant to the criteria in Section 2 above granted to licensees or other parties, including any provisions concerning the ability to make changes to the technology or license terms that are related to protection of content, including information on process;
- any rules applicable to use of the technology by adopters or content participants (e.g. encoding rules, proper use);
- ability to revoke technology implementations, including process and terms for such revocation;
- ability to renew technology implementations, including process and terms for such renewal;
- confidentiality obligations as they pertain to protection of content or cryptographic values used by the technology;
- remedies and other enforcement provisions, including termination;
- compliance and robustness requirements;
- process for approving downstream output technologies;
- any other licensing information that may be relevant to AACS LA's evaluation of the proposed technology.

TECHNOLOGY INFORMATION

Applicants should submit sufficient information to demonstrate the above criteria are met, and include relevant technical information, including :

- complete specifications (version 0.9 or higher) which should include:
 - detailed block diagrams illustrating security architecture
 - detailed information concerning algorithms used, and third party licenses (if any) applicable to the evaluation thereof or to the use thereof, to the extent such license terms pertain to security
- detailed information concerning how keys and other secrets are required to be protected during cryptographic calculations, and how the content protection elements of the technology are required to be protected from modification;
- detailed information concerning how key revocation is carried out;
- information on how the technology is designed to prevent or respond to potential attacks, including, if appropriate, threat analyses or information about commercial use and response to any attempts at circumvention.

MAPPING AND RIGHTS AND RESTRICTIONS SPECIFIC TO AACS

Applicants should submit a proposed rights mapping between AACS and the proposed technology, and describe any associated restrictions and obligations that will be added to the proposed technology's licensing terms and compliance rules to ensure compliance with AACS Compliance Rules. Any proposed changes to AACS LA's licensing terms or compliance rules associated with the proposed approval should be submitted as well.

COMMERCIAL ACCEPTANCE

Applicants should submit information concerning commercial acceptance of the technology and its associated license terms by content owners and adopters. Applicants are also invited to submit information regarding acceptance of its technology as an approved output by other content protection licensing entities, providers, standards bodies or government agencies.