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## **Principles for Internet Connected and Hybrid Television in Europe**

Broadcasters see great opportunities in the introduction of new platforms and devices which bring television and the Internet together ("hybrid systems"). They can expand the programme choice for viewers, simplify access to Internet content and enable broadcasters to provide new forms of enhanced content.

Hybrid systems have the potential of combining the strengths of broadcast and broadband networks and services. This is particularly true if they are built on appropriate standards which allow European broadcasters and other content providers to link broadcast and on-demand content, such as catch-up TV.

Whilst hybrid technology offers exciting opportunities to serve audiences through innovative services, it raises a number of questions about the relationship between different players delivering services through the same hybrid platform. In the interests of users and consumers, it is important to clarify in which way these questions will be resolved. Furthermore, European broadcasters are substantial investors in audiovisual productions and services, and it is important that the economy of hybrid broadcasting should continue to encourage this investment and allow broadcasters to deliver its full benefits to the public.

European broadcasters are calling for all hybrid systems to be designed in a way which respects some basic principles as outlined here. These principles have been developed on the basis of a paper by the World Broadcasting Unions, which provides more background for discussion (WBU, Hybrid and Internet Television, January 2011).<sup>1</sup>

Respect for these principles is without prejudice to more detailed or stricter rules, guidelines or codes of conduct at the national level.

### **Linkage between broadcast and broadband**

Hybrid systems open up a new era for media delivery with many ways for broadcasters to provide a wide range of new services. However, simply putting a television receiver and an Internet browser in the same device would fail to take advantage of opportunities to integrate linear (broadcast) and non-linear (on-demand) offers. Consequently, broadcasters and other stakeholders have been developing technical systems which provide for such integrated linkage (including the HbbTV, MHEG-5, MHP and YouView standards for the signalling of broadcast and broadband applications). For example, this will allow viewers to directly access Internet content associated with the broadcast content while watching a television programme. This brings together the mass appeal of broadcast TV and the convenience of the Internet on a domestic TV set.

Using different technologies in the same market for the same kind of system can become a major barrier to success. Standardised technology encourages more

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<sup>1</sup> WBU paper can be found at <http://www.nabanet.com/wbuarea/committees/tc.asp>.

competition between suppliers, lower costs and more choice for consumers. There may be no complete solution to this, but the more stakeholders use common solutions across the world, the greater the potential for success of hybrid TV.

1. *Platforms and devices should accommodate systems, with a maximum of commonality, which allow broadcasters and other content providers to provide a linkage between their linear and non-linear offers (permitting, in particular, enhanced or synchronised audiovisual content by a combination of linear and non-linear elements, e.g. online voting, sports statistics and sign language).*
2. *Viewers should be given direct access to the broadcaster's non-linear offer when watching one of its channels. Multimedia content or applications associated with the broadcaster's linear content should be easy to find and navigate, with clear brand attribution, when users are watching the programme, e.g. by pressing the red button on the remote control.*

### **Content integrity and display of broadcast signal on screen**

Broadcasters have a vital interest in ensuring that the content which they provide is displayed on screen unaltered and without unauthorised overlays.

Although hybrid systems offer real opportunities in the combination of broadcast and Internet elements, there is a risk that they interfere with the display of the broadcast signal on screen, causing a loss of control for broadcasters and a deterioration of the viewing experience for users. In turn, this could lead to a mixing-up of content from different sources on viewers' screens, with or without the individual viewer's participation. Additionally it could also lead to the commercial exploitation of the broadcasters' programmes and audiences by third parties. Measures to prevent this should be embedded in the design of hybrid systems.

3. *Broadcasters' linear and non-linear programmes and services must be displayed on hybrid devices without any alterations and without disrupting the viewing experience. No alteration to the presentation of the broadcast signal (video and sound) on the hybrid device should occur without an active decision by the viewer.*
4. *Hybrid systems must not allow the overlay of third-party content or commercial communications on the television picture without the broadcaster's consent or an active decision by the viewer.*
5. *The same conditions as for overlays must apply to commercial communications which appear anywhere on screen at the same time as the television broadcast.*

### **Access to broadcasters' content**

Making considerable investments in programmes and services, broadcasters have a vital interest in ensuring that the content they provide can easily be accessed by viewers, in unaltered form and in high quality. In this new environment, there is a risk that broadcasters will lose their direct relationship with the audience and become dependent on intermediaries that control essential parts of hybrid platforms. There is also the risk that viewers will find it increasingly difficult to access broadcasters' original content.

6. *Hybrid TV portals, hybrid TV menus and home screens must guarantee non-discriminatory access for all broadcasters and content providers.*
7. *Broadcasters' complete on-demand offering should be prominently displayed and easily accessible in an appropriate category on the hybrid TV menu or home screen.*
8. *Viewers must be able to enjoy a channel experience, with for instance the option of going directly to their favourite channel and to a list of channels which viewers must be able to personalise.*
9. *Viewers must be able to access any portal site/application provided by the broadcaster from the home screen (where it should be identified by the broadcaster's logo or icon) and also while watching one of the broadcaster's television channels by pressing the red (or similar) button on the remote control.*
10. *If the hybrid system includes a media search engine, the broadcaster's content - both linear and non-linear - should be properly referenced, using any metadata provided by the broadcaster.*
11. *It must be possible for the viewer to return at any time to the last-viewed broadcast channel by means of a specific return button.*

### **Preservation of a safe viewing environment, including the protection of minors**

Care needs to be taken to protect the quality and safety of the broadcasting viewing environment on hybrid platforms, particularly regarding the protection of minors. Providers of hybrid portal services need to take on responsibility in this regard. Moreover, if there are different levels of protection within a hybrid platform, viewers need to be able to distinguish clearly between content falling within different categories.

Alongside broadcasting services, which are subject to strict rules, and non-linear (on-demand) audiovisual media services, which under the EU Audiovisual Media Services Directive are subject to less strict requirements, hybrid systems may also provide access to Internet content which is hardly regulated at all, apart from general rules on pornography, defamation, etc.

Therefore the more hybrid systems facilitate access, via the same screen, to various types of content that are subject to very different legal requirements, the more they may cause difficulties for the effective application of existing legal frameworks or create an uneven playing-field for various content providers.

12. *Hybrid systems must not be used to circumvent broadcast regulation. In particular, national regulation and self-regulation on the protection of minors must be respected, and hybrid systems should facilitate parental control.*
13. *Without prejudice to the possibility for viewers to aggregate content from different sources, there must always be a clear attribution (identification) of the content source to avoid confusion among viewers.*

### **Copyright/IPR, piracy**

Hybrid systems should include adequate safeguards against those wishing to profit from viruses, malware, or copyright infringement. Closely connected with the goal of preserving content integrity and the viewing experience is the need to protect broadcasters and other rights holders from such unlawful activities.

To minimise the illegal distribution or sharing of copyright-protected content, hybrid systems should apply certain minimum safeguards so as to avoid facilitating access to pirated content. However, such measures, and in particular any approval process for applications, must not be used to restrict users' access to lawful content or to restrict broadcasters' and other content providers' access to hybrid platforms and devices.

14. *Broadcasters must be able to request the removal of those widgets or applications that appear to facilitate access to pirated content.*
15. *The broadcaster should have the option - but no obligation - to use any Digital Rights Management (including any signalling) system to protect (parts of) its linear or non-linear output, and without the need to scramble the signal (in accordance with the DVB CPCM free-to-air profile<sup>2</sup>).*
16. *In line with the objective of Principle 13, the broadcaster's service presentation area (logos, etc.) must always remain visible during the viewing of the channel or service concerned, without prejudice to the possibility for viewers to personalise the look-and-feel of the screen.*

## **Data protection**

Data protection concerns should be addressed early in the development of hybrid systems ("privacy by design") and be respected by the default settings ("privacy by default").

It is essential for viewers to know exactly what kind of data are collected, by whom and for what purposes. Broadcasters also have a legitimate interest in not being excluded from access to usage data regarding their own services that may be collected by third parties.

17. *Hybrid systems must fully comply with national, EU and international rules on collection, processing and use of personal data including any viewing, usage or search data and user profiling. They should practise and pro-actively encourage and promote growing transparency in relation to the use of viewers' data.*
18. *Personal data containing other than operational information (e.g. for billing purposes) may be collected and used only with the prior informed consent of the users. The creation of user profiles linked to full IP addresses (including geolocation) requires the user's prior informed consent ("opt-in") or a specific legal empowerment.*
19. *Broadcasters shall be informed about and, upon request, given access to, any data that may be collected via hybrid systems relating to the use of their programmes and services, with due respect for data protection rules.*

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### *About the EBU.*

*The EBU serves 85 national media organizations in 56 countries in and around Europe. It represents its Members and promotes the values and distinctiveness of public service media in Europe and around the world.*

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<sup>2</sup> DVB Service Information Standard (SI) - draft ETSI EN 300 468 V1.12.1 §6.2.18 (FTA content management descriptor)