



**James Burger, Member, Dow Lohnes PLLC**

## **TITLE**

DVD CCA: Where Are We Today -- Lessons for AACCS?

## **ABSTRACT**

I would like to propose a discussion about the overall issue of digital content and, in particular, about the DVD Copy Control Association (DVD CCA), its advancements to date and what lessons AACCS (Advanced Access Content Systems) can draw from DVD CCA's efforts. The discussion will focus on three main topics including: I. Managed Recording – What is it? What is required? a. MOD b. EST c. Interplay of DVD Forum and DVD CCA II. The Kaleidescape Case a. DVD CCA Claims b. Kaleidescape Defense c. Judge Nicholls Decision d. Appeal to CA Court of Appeals III. Managed Copying a. Future in DVD CCA? b. AACCS? c. The Fair Use the Copyright Issue

## **BIOGRAPHY**

Jim Burger is a member of the law firm of Dow Lohnes PLLC specializing in representation of technology companies on intellectual property, communications and government policy matters. Mr. Burger has worked extensively on legal and policy issues arising from the confluence of digital technology, intellectual property protection and government regulation, particularly as affecting the Internet. Mr. Burger has participated in resolving such complex issues as DVD copy protection and digital download of music - representing the Computer Industry Group in negotiations developing the DVD Content Scrambling System copy protection rules as well as the Secure Digital Music Initiative. In addition, he has been engaged in such matters as the efforts to amend copyright law from leading the negotiations to exclude the computer industry from the Audio Home Recording Act, to avoid passage of the Digital Video Recording Act and to accommodate the protection of intellectual property on the Internet as well as the efforts to change the encryption export rules to protect digital communications. Prior to joining Dow Lohnes, Mr. Burger was a Senior Director in Apple Computer's Law Department. In addition, from 1991 until 1996, he was Chair of the Information Technology Industry Council's Proprietary Rights Committee. Mr. Burger received both his undergraduate and law degrees from New York University.